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**Legislative Assembly  
of Ontario**

Third Session, 35th Parliament

**Assemblée législative  
de l'Ontario**

Troisième session, 35<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Tuesday 12 October 1993**

**Journal  
des débats  
(Hansard)**

**Mardi 12 octobre 1993**



**Speaker**  
Honourable David Warner

**Président**  
L'honorable David Warner

**Clerk**  
Claude L. DesRosiers

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Tuesday 12 October 1993

The House met at 1332.

Prayers.

## MEMBERS' STATEMENTS

## FOOD BANKS

**Mrs Yvonne O'Neill (Ottawa-Rideau):** I rise to bring to the attention of the House that once again the Daily Bread Food Bank has had to extend its Thanksgiving food drive in order to meet its target.

I remind the members of the Legislature, especially those on the government benches, of the position of their caucus in 1990 when they presented a dissenting opinion on the report on food banks prepared by the standing committee on social development of this Legislature. At that time, the position of the NDP caucus was very clear, and I quote, "The government's continued reliance on food banks is an abdication of provincial responsibility and an improper exploitation of community goodwill and voluntary resources."

This NDP government must now examine its very own record in addressing the real root causes of poverty. I urge the NDP government, on behalf of the food banks right across this province, to finally come to terms with its responsibilities.

I ask, as does my leader Lyn McLeod: When will you admit that your policies are killing jobs? When will you admit that the result is that more and more Ontarians, often in deep humility and often in despair, depend on food banks for their daily bread?

## OLDER WORKERS

**Mr Gary Carr (Oakville South):** In the summer of 1991, I undertook to assist my constituent Mr Stanley Saleta in his quest to access benefits under the program for older workers. More than three years later and after numerous telephone calls, and letters from the minister on this matter, the matter has still not been resolved.

In September 1992, the minister assured me that the matter was under review and that a decision would be made by the end of October. Mr Saleta, laid off in March 1991, has exhausted all his unemployment insurance benefits, has no prospect for re-employment and has found it necessary to apply for subsidized housing because of his strained financial circumstances.

This delay is totally unacceptable, and Mr Saleta is but one of my many constituents who has contacted my office after attempting to access funding through the program for older workers. Typical of this government, this program has been a failure and I call on the minister to act now to help these people in their time of need.

## WILSON HEAD

**Ms Zanana L. Akande (St Andrew-St Patrick):** I rise today to pay tribute to and to remember a community leader, a pioneer in the struggle for racial justice. Dr

Wilson Head was born in Georgia and educated in the United States, where he became active in the NAACP to further and improve the conditions of black people in America. He emigrated to Canada because he wanted to live in a more tolerant society, yet he recognized that there was racial discrimination in many places.

The struggle to reduce prejudice and discrimination, to the benefit of all Canadians, has been contributed to and sometimes led by this most remarkable man. Dr Head has devoted most of his life to the promotion of human rights and better race relations in Canada and indeed the world.

From his early involvement in the NAACP in the United States, Dr Head has continued to demonstrate his commitment to human and civil rights across Canada as an active member of the Organization for World Peace through Religion, the Canadian Civil Liberties Association, the social planning council and many other organizations.

As the founding president of the Urban Alliance on Race Relations and as a dedicated member of its board of directors for the last 16 years, Dr Head has been involved in many of the activities of the urban alliance. He has made a major contribution to the field of race relations in such diverse areas as education, policing, media, employment, law and public policy. His research has added enormously to our knowledge and understanding of the patterns of discrimination and inequality in Canada.

Dr Wilson Head died on October 7. Canadians have lost a great advocate, but more than that, Canadians have lost a man who believed in, who saw more possible in Canada, and so was willing to continue the fight for the ultimate promise of what is Canadian: social justice and equality for all.

## TEACHERS' DISPUTE

**Mr Charles Beer (York North):** Today is day 20 of the Lambton County Secondary School strike. While any school strike poses its own set of difficulties, there are some extraordinary circumstances involved in the Lambton dispute.

First, all of the schools in Lambton county are run on the semester system. The School Boards and Teachers Collective Negotiations Act, Bill 100, became legislation in 1975, long before the semester system became commonplace in Ontario secondary schools. Clearly, Bill 100 should be revised to meet the needs of the 1990s. Indeed, representatives from all political parties as well as school boards and teachers' federations have called for such an update. But that does not resolve the immediate issue of getting the kids in Lambton county back to school.

To date, students have already lost almost a quarter



of the class time for subjects they are currently enrolled in. This kind of time lost is simply not acceptable in a province which is struggling to fight its way out of a recession and into a global economy which demands that our students be able to compete with the very best in the world.

It is time for the Minister of Education and Training to bring the board and teachers' representatives together and hammer out a solution with no further delay. The kids of Lambton county deserve no less.

1340

#### ORILLIA WATERFOWL FESTIVAL

**Mr Allan K. McLean (Simcoe East):** The vibrancy of a modern lifestyle coupled with the heritage of the past make the city of Orillia and the surrounding townships of Mara, Oro, Orillia, Medonte and Rama a perfect backdrop to showcase Canada's finest waterfowl and wildlife artists. They have carvers, photographers, authors, sculptors and artisans during the first annual Orillia Waterfowl Festival from October 15 to 17.

Six exhibit locations will feature carving competitions, duck- and goose-calling demonstrations and competitions, as well as auctions, sales, photography competitions, waterfowl identification and duck banding. Exhibits are open 4 pm to 9 pm on Friday, 10 am to 9 pm on Saturday and 10 am to 5 pm on Sunday.

Proceeds from the Orillia Waterfowl Festival are dedicated to the conservation of waterfowl and their habitat through already established groups acting in the cause of conservation.

I sincerely believe events like the Orillia Waterfowl Festival will go a long way towards educating the public that our wetlands are a crucial component of the natural environment.

I congratulate Ducks Unlimited, the Ontario Federation of Anglers and Hunters, the Orillia Fish and Game Conservation Club, Twin Lakes Conservation Club and other established groups, sponsors and volunteers who have supported this festival because they recognize that no one person has all the answers on how to save our environment. We all have an important role to play.

Come to Orillia this weekend.

GOOD NEIGHBOURS WEEK;

ELECTION OF PAPANDREOU

**Mr Gary Malkowski (York East):** This week, between October 11 and 17, Good Neighbours Week is being celebrated across Ontario for the first time. I'm pleased to announce among the 45 regions, cities, towns and villages across Ontario that the borough of East York will launch its Good Neighbours campaign this coming Thursday with special events.

Three years ago Good Neighbours was launched as an initiative of the Office for Seniors' Issues of the Ministry of Citizenship and was designed as a public awareness program to encourage individuals and whole

communities to respond on a personal basis to the needs of others. In particular, it was designed to create informal networks of support for those who are frail, isolated and vulnerable and to complement the professional services that were already available. In short, the aim was to create more caring and friendly neighbourhoods.

I would also like to congratulate all the communities, especially those in my riding of York East, that have worked to make this program such a success, and the Office for Seniors' Issues for having launched this invaluable initiative.

I would also like to address a second issue today. I would like to ask all members to join me in congratulating the Greek community on the election of PASOK's leader, Andreas Papandreou, to power in Greece. I spent last Sunday evening with the members of PASOK at their headquarters on the Danforth as we excitedly awaited the result of the election. October 10, 1993, marks a victorious day for social democrats, and I wish to say, "Zito Greece and Zito PASOK."

#### THIRD PARTY MEMBERS

**Mr Bernard Grandmaître (Ottawa East):** During the current trade dispute between Quebec and Ontario, the member for Don Mills wrote Ontario municipalities urging them to follow the lead of Ottawa-Carleton and implement tough measures against Quebec construction firms.

Well, it turns out that Ottawa-Carleton does not yet have such a policy in place, and Peter Clarke, the regional chair, told the member to call him before talking about what is and is not the region's position on Quebec. These days, such mistakes have become standard in the Conservatives' approach to politics: Talk first and find out the facts after.

On the social contract, the Conservative leader said, "Bravo, Bob Rae." Then days later he reversed himself and began talking about the flaws of the government's social contract legislation.

Then there is Helle Hulgaard. Here, the Tories called a press conference to show off this unfortunate woman who decided to quit her job to go on welfare. But after a lot of bad press, the Conservative leader is not mentioning her any more.

Now we have the member for Don Mills talking about Ottawa-Carleton's position in the Quebec-Ontario trade dispute, and it turns out he is wrong.

Being responsible in opposition means digging for correct facts and, in the light of these facts, calling the government to account. Too often the Conservatives have been opposing according to what is in the newspaper that day, and too often they are wrong.

#### CHILDREN'S SERVICES

**Mr Cameron Jackson (Burlington South):** The NDP has been conducting secret discussions without public consultation to introduce user fees for services



for vulnerable children in the province of Ontario beginning on November 1.

As part of the NDP expenditure control plan, the NDP plans to grab \$4.3 million from parental contributions and user fees this fiscal year, and \$6.7 million in each of the next two years. This also includes a provincial grab of income from federal transfer payments. The NDP have even discussed with child support agencies the charging of fees prior to investigating complaints of possible child sexual assaults.

These moneys won't be channelled back into children's programs as in the past, but rather will be treated as non-retainable income to be given to the Treasurer instead as a form of taxation.

The federal government pays child tax credits, or baby bonuses, for each child, and pays these funds as a trust directly to the children's aid society and other child support agencies for the sole benefit, support and protection of these children. This year these Ontario agencies will receive \$662,000 directly from Ottawa for this purpose. But vulnerable children are not a priority for this government. It's an offensive set of priorities shown when it wastes taxpayers' money building an in-ground swimming pool and additional recreational upgrades for juvenile delinquents in the Syl Apps detention centre for young offenders in Oakville for about the exact same \$4.3 million.

The NDP plan to charge user fees for services for orphans and sexually abused children is an outrage.

#### KINGSTON EXHIBIT

**Mr Gary Wilson (Kingston and The Islands):** A bit of Kingston heritage has moved to Queen's Park. "Kingston in the 1890s" is the title of an exhibit in a display case in the east wing of the Legislature. It is one of many displays designed to mark the centennial of the Ontario Legislative Building by giving a glimpse of life throughout the province 100 years ago.

The Kingston exhibit describes, with the help of photos, three activities that occurred in and around Kingston city hall during the 1890s. One display shows how city hall served as a setting for part of the funeral of Sir John A. Macdonald in June 1891. A second is a description of the first Canadian institution for women's professional education, the Kingston Medical College, which was founded in 1883. Because of the hostility of male students on the campus at Queen's, it was housed in the upper reaches of Kingston city hall near the dome. The third display describes the Kingston city market. By the number of people, horses and sleighs shown in one fascinating colour picture, the market was as popular then as it is today.

The Kingston exhibit underlines the fact that city hall played as central a role in the life of 1890s Kingston as it does now and reminds us that our heritage, in the words of exhibit designer Richard Gold, determines who we are and what matters to us.

I'm sure all members join me in commending the people in the interparliamentary and public relations branch and from the various museums, archives and cultural societies across Ontario in mounting the centennial community exhibit program. Their hard work has provided us an imaginative way to appreciate the vital role the Legislature has played in the history and democratic tradition of Ontario.

As members view the displays in our building, I urge them to reflect on the opportunity we have as legislators to pass new heritage legislation that will strengthen the ability of Ontarians to ensure that our past plays a vital role in our future.

#### TRANSPORTATION FOR THE DISABLED

**Mr John Sola (Mississauga East):** In August, Metropolitan Toronto amended a bylaw to make it illegal for cabs for the handicapped based outside Toronto to pick up passengers within Metro's boundaries. Prior to this amendment, these specially designed taxis were exempted from the rule which gave Metro cabs a monopoly on fares within their municipality.

This is a classic case of ignoring the old adage, "If it ain't broke, don't fix it." Had Metro council done its homework, a favourite expression of Mississauga mayor Hazel McCallion, it would have noticed the years of cooperation between Peel's Transhelp and Metro's Wheel-Trans service. This was based on the premise of better service and greater efficiency for the clientele, the handicapped, rather than business rivalry between Transhelp and Wheel-Trans.

Before this cooperation is jeopardized, it would be advisable for Metro council to repeal the amendment. Luckily, cooler heads have prevailed and the two service agencies have carried on business as usual, and the authorities have assisted by laying no charges to date. Metro council has shown some goodwill and some good sense by agreeing not to apply the amendment to existing contracts. However, these expire on December 1, 1994.

Before years of cooperation and goodwill are destroyed in the battle over political turf, it would be advisable for Metro council to fix what they broke: Repeal the amendment and save our transportation services for the disabled.

1350

#### STATEMENTS BY THE MINISTRY AND RESPONSES

JOSEPH MacDONALD

**Hon David Christopherson (Solicitor General and Minister of Correctional Services):** Many people throughout Ontario were shocked and disheartened by news last Thursday concerning the shooting death of Constable Joseph MacDonald of the Sudbury Regional Police.

Constable MacDonald was a kind, compassionate



officer with a keen sense of duty and commitment to his community. The Premier, the Treasurer, local members and I attended Constable MacDonald's funeral in Sudbury on Saturday, and I can tell you that we were all deeply moved by the outpouring of respect for the officer and sorrow for his family. In addition to his many friends and relations, hundreds of fellow officers from police services across the province and across the continent came to pay tribute to a man who was affectionately known by his colleagues as the Gentle Giant.

On behalf of the government and all members, I would like to extend deepest sympathies to Constable MacDonald's family. Constable MacDonald and the thousands of other men and women who serve and protect the people of Ontario are not and will not be forgotten by this government. I would ask all members to join me in a moment of silence to pay tribute to Constable MacDonald.

**The Speaker (Hon David Warner):** I invite all members and indeed our visitors in the gallery to stand and observe a moment of silence, please.

*The House observed a moment's silence.*

#### FOREST INDUSTRY

**Hon Howard Hampton (Minister of Natural Resources):** I am pleased to announce to the Legislature today the potential to create more than 1,000 new jobs in northwestern Ontario and improve our sustainable forestry practices.

As a result of new technologies which enable the forest industry to use what were previously considered hardwood species of little value, the Ministry of Natural Resources is able to identify an environmentally sustainable hardwood timber supply for the production of value added forest products. The Ministry of Natural Resources is inviting forest product companies to submit proposals for the development of up to three new wood product mills in northwestern Ontario. MNR is prepared to make available a long-term sustainable supply of hardwood timber.

This is a significant economic opportunity. In northwestern Ontario we have one of the last large unused hardwood supplies in all of North America that can be managed on a sustainable basis. Poplar and white birch are particularly favourable due to their relatively short regeneration periods. In many areas of northwestern Ontario, harvestable poplar can be grown in 50 years or less. A report released by the Forest Industry Action Group refers to our potential now to use new technologies so that we can utilize these hardwood species that were previously considered to have little value.

There is a large poplar and white birch supply found in an area which spans from Lake Nipigon to the Manitoba border. Some 820,000 cords per year of this hardwood timber can be made available for up to three new-technology wood product mills developed to produce value added forest products.

Most of this wood supply is located on crown land that is already licensed. Access for new ventures will be negotiated with licence holders using guidelines developed by the Ministry of Natural Resources. The ministry will consider a range of proposals, from oriented strand board—and, Mr Speaker, this is oriented strand board that I'm holding now. Mills which produce oriented strand board are in effect producing a plywood substitute that is used primarily in the housing industry. Another product is medium density fibreboard, which is used in the furniture industry.

Such mills cost up to \$100 million to develop and can create more than 1,000 new jobs. There is great potential for Ontario's northern communities and forest industry both in domestic and foreign markets. Through this invitation for proposals, we want to encourage the forest industry to take advantage of an available resource and the potential of these markets for value added products. In fact, the Ministry of Natural Resources has already been approached by a number of major international companies interested in exploring these new markets.

Our evaluation of these proposals will be guided by the government's sustainable forest policies and principles contained in the recently released comprehensive forest policy framework. In keeping with our policy of sustainable forestry, areas of natural and scientific importance will be protected. Old-growth red and white pine forests will not be affected by this initiative.

Never has public interest in the sustainability of our forests, or the multitude of other forest values, been greater. The sustainability of forests, the sustainability of northern communities and the sustainability of industries are key to our direction in forest management.

The Ministry of Natural Resources will be providing a prospectus to all forest companies operating in the province, with details on how to submit proposals. We will also provide the document to the major international companies that have already expressed an interest in developing new ventures. The Ministry of Natural Resources will accept proposals until December 3 of this year and will report back to me with recommendations early in the new year.

JOSEPH MacDONALD

**Mr Tim Murphy (St George-St David):** I'd like to take a moment on behalf of my leader, Lyn McLeod, and our caucus to share the expression of the Solicitor General regarding the tragic shooting of Constable MacDonald in Sudbury. We share in the anger, frustration and sense of loss shown by the police officers and people all across Ontario at this tragic event.

Mike Brown, the MPP for Algoma-Manitoulin, attended the funeral on behalf of our caucus. He shared in the community's sense of loss and also in the respect the community showed for the commitment Constable MacDonald showed as a police officer and as a member



of the community very active in a number of community groups.

On a personal note, I'd like to extend to Constable MacDonald's family our expression, although it may be small solace, that Constable MacDonald was a hero. To them, I would like to extend our condolences and pay tribute to the family's courage as well.

Police officers can often face danger every day of their professional lives. That can often take a daily toll on their families as well and sometimes can lead to tragic results, as it did in this case. I want to assure the family that Constable MacDonald's heroism will not be forgotten.

#### FOREST INDUSTRY

**Mr Frank Miclash (Kenora):** I'd like to respond to the announcement made by the Minister of Natural Resources today. I would just like to indicate that throughout the announcement he indicates "potential," the potential of opening new mills in northwestern Ontario. I can't emphasize that word enough.

As we know, the ministry is now inviting companies to submit proposals, and I honestly do hope that he receives these proposals.

I'm also happy to hear that he has actually listened to the Forest Industry Action Group, because in the not-too-distance past we know that the minister had not listened to groups such as the Independent Loggers and the Independent Foresters throughout the northwest.

While the minister is making this announcement today, I must suggest that there are still a lot of matters out there that pertain to the forestry industry that need his immediate action.

Just recently, we've talked a lot about the stumpage fees and crown dues. I must indicate to the minister that there still is a lot of uncertainty out there regarding these two issues.

Reforestation—silviculture—is another thing the minister must agree to look at in terms of being able to welcome new industry into the area, to encourage it to come into the area.

One issue that has been brought to my attention on more than one occasion is regarding the building of roads and the maintenance of these roads. We know the ministry was involved in helping out the local private contractor in getting to the product, but lately it has fallen back on that commitment.

Yet the industry is still paying what we call a bonus rate of 33 cents per cubic metre on crown dues. These are crown dues that are to go towards this road building and maintenance, but actually do not find their way back.

So, Minister, I would just like to wish you all the very best. What you've given is a potential announcement. I do hope that we do have a good number of companies that will come forward and take advantage of

what you have offered them today. I know that jobs in northwestern Ontario are not only important to your constituents but are very important to mine as well.

We know that the forestry industry is one of the base industries in the north and one that has to be explored. Again, I must say that you must make movement on some of the issues that have been plaguing this industry in the past and that continue to plague the industry before we will attract that new investment that you are looking for.

So again, Minister, I wish you all the very best and I look forward to the proposals that will come forward with what you have offered today.

1400

JOSEPH MacDONALD

**Mr Robert W. Runciman (Leeds-Grenville):** I too rise in the House today to pay tribute to the late Sudbury police constable, Joseph MacDonald. By all accounts, Joe MacDonald was the kind of officer any chief of police would be pleased to have on his force and any citizen proud to have protecting their community.

Joe MacDonald was not just a top-notch cop; he was also a first-rate person who cared a great deal about other people. From captaining the football team at Carleton University to working with young people in public housing, Joe MacDonald got involved.

Over the past six or seven years I've risen in this House on a number of occasions to comment on the shooting deaths or woundings of police officers in this province. Although no one doubts the sincerity of the remarks expressed in this chamber today, I have to wonder, as do many of you, I'm sure, about deaths in vain.

I co-chair our party's task force on crime, justice and community safety. Right across this province, we've heard the frustration of police officers and the public over what is viewed as a lax justice system and the failure of politicians to provide our police officers with adequate and appropriate resources and equipment. Those widespread concerns ring loud and clear around the circumstances of this good cop's senseless, brutal and apparently avoidable killing.

We all convey our condolences to Joe's widow, Nancy, a former resident of my home town, Brockville; their two young children; Constable MacDonald's parents; his fellow officers and the people of Sudbury.

But perhaps an even greater tragedy is the reality that Joe MacDonald's death was almost certainly an avoidable one. There is clear evidence of a failure of the parole system and a failure to catch those who breach the system. If anything good is to come out of this tragedy, we must fix the system now. We must find effective ways to get violent criminals off the streets until they prove they're no longer a threat to society.

The people want action now; no more delays or excuses. In Joe MacDonald's memory, let us resolve to act now.

#### FOREST INDUSTRY

**Mr Allan K. McLean (Simcoe East):** While we're pleased to hear of the initiative which has the potential—and I emphasize the word "potential"—to create 1,000 jobs in northern Ontario, I must remind the minister and the government that this is only a first step in a very important process in the economic revitalization of northern Ontario.

I must remind the minister that in order to attract and maintain business in Ontario, he must look at a wide range of issues. For example, does the province have competitive labour laws? Is our level of taxation excessive? Can these new businesses be assured of an affordable supply of electricity in the north? These are important issues which have to be addressed over the next few years.

We welcome the announcement by the Minister of Natural Resources and we can hope he has the support of all of his cabinet colleagues in pursuing this very important initiative. My colleague the critic for Natural Resources has a sore throat today; I'm making this on behalf of him because he wanted me to speak with regard to the statement that was made by the minister.

One of the concerns that's out there is, it will be interesting to see how many new mills will be established in northern Ontario. He's talking about millions of dollars going into mills. Is that where the 1,000 jobs are coming from? It'll also be interesting to see how many foreign industries are going to come here.

It would be interesting to know the study that's being done to provide for an in-depth study with regard to new mills. Has there not been a study done already? How can you make the announcement when you don't know what the study is?

They're supposed to be reporting back to the minister, I understand, some time in the new year. Well, another task force costs dollars, and I would like to know when the first job is going to be created, other than the ones on the task force and by consultants. While northern Ontario, I hope, welcomes this announcement, we think it's a step in the right direction.

**Mr Chris Stockwell (Etobicoke West):** I also would like to add the fact of potential. I don't think too many people are looking at potential job opportunities. They're looking at real job opportunities. There don't appear to be any opportunities in this announcement today that there will be any real job opportunities for a very long period of time. We would be hopeful that it could be a little more positive for the people of the north in Ontario—in fact, in general.

#### VISITOR

**The Speaker (Hon David Warner):** Before continu-

ing, I invite all members to welcome to our chamber, seated in the members' gallery east, Mr Ivan Dzyuba, MP and Minister of Culture from Ukraine. Welcome.

#### ORAL QUESTIONS

##### CANCER TREATMENT

**Mrs Lyn McLeod (Leader of the Opposition):** My first question is to the Minister of Health. Minister, we continue to hear concerns about the availability and access to bone marrow transplants at the Princess Margaret Hospital. We all appreciated the commitment that was made in this House last week by the Premier and his assurance that nobody in the province would be denied access to this very critical treatment procedure.

Minister, the hospitals really do need more than a verbal assurance and they need more than just a direction that they must provide the service. The hospitals need some clear understanding of where the funding is going to come from if they're to continue to provide the care and the treatment that's needed.

It seems to be clear that at this point the Princess Margaret Hospital doesn't know where the money is going to come from to be able to cover the increasing cost of bone marrow transplants. So again today we ask you, Minister, what are you doing to ensure that there will be access to bone marrow transplants in the province of Ontario? How are you going to keep the commitment that was made here in this place last week?

**Hon Ruth Grier (Minister of Health):** First of all, let me repeat the commitment that the Premier made on behalf of this government that nobody in this province who needs a bone marrow transplant will be denied it because of the cost. But let me also assure the Leader of the Opposition that in the conversations with the Princess Margaret Hospital which we have had over the last few days, their operating plan was that there would be in the range of 60 bone marrow transplants provided in this fiscal year, 1993-94, and we are informed that they have every expectation that they will perform that many bone marrow transplants. So I think the concern and the worries that have been raised at this point are not based on the actual facts of the operation of that hospital.

**Mrs McLeod:** I'm concerned that the minister, in her response, fails to acknowledge the very real concerns that hospitals have about finding the funding over the course of this budget year and in fact in subsequent years for procedures like bone marrow transplants and for other critical procedures. I believe that we're going to see more and more examples of the kinds of problems the Princess Margaret is facing in providing access to this particular procedure.

We've had a concern expressed recently about access to kidney dialysis. The minister may be aware of the article written by Dr David Mendelssohn, medical director of the pre-dialysis clinic at the Toronto Hospital, who has expressed his concern "that all adult



hospitals in Toronto that provide dialysis therapy are operating at beyond capacity and are facing further reductions in dialysis budgets this year." Toronto is already below the national average in its capacity to provide dialysis treatment.

Minister, in light of the fact that hospitals are facing even further reductions in their budgets, how will you ensure that there will be access to yet another critical medical treatment, and that is the access to kidney dialysis?

**Hon Mrs Grier:** I'm glad to address that issue, because I too saw the article that was in the papers over the weekend. It was based on one authored about a year ago. Again, I'm happy to provide the Leader of the Opposition with the current facts, which are that the Ministry of Health has implemented a three-year, \$23-million expansion project for dialysis services. The final phase of this project will be completed early in 1994. In the central region, that served by the Toronto Hospital and others, new dialysis services have been established in Oshawa and Orillia and the existing programs expanded in Toronto and Mississauga. Another new service for 40 haemodialysis patients will open in Mississauga early in 1994.

1410

Let me say in conclusion there are indeed problems. Procedures are becoming more commonly required and much more expensive. But part of our management of the system in these tough times is to meet those needs, and in this case they're being met, and well in advance.

**Mrs McLeod:** Again, the minister in her response fails to acknowledge the reality of the situation that the hospitals of this province are facing. The hospitals' problem is with their operating budgets, and with every further reduction this government has made over the course of the past year in hospitals' global operating budgets, their problems become more acute.

Dr Mendelssohn recognizes what the hospitals recognize, and that's that the most recent reductions under the government's social contract are putting every hospital in this province under tremendous pressure to provide access to critical services. The minister is surely aware that while her government and her ministry are reducing the funds available to hospitals for their operating costs by virtue of the social contract directions, that social contract legislation is not providing the hospitals with the tools to actually reduce their costs. You are reducing their budgets; you're giving them no basis on which to reduce their actual costs. The hospitals are in exactly the same position as ambulance operators. Once this minister and once this government wash their hands of any responsibility under the social contract to provide for critical services, they're left with either cutting services or running a deficit.

Minister, any way you look at it, the ability to provide critical health care services has been thrown

into jeopardy, most recently by the social contract. I ask you again, what are you prepared to do to protect essential health care services and when will you stop just passing the buck?

**Hon Bob Rae (Premier and Minister of Intergovernmental Affairs):** Boy, do you ever change your tune. You really are a Liberal, aren't you? My goodness.

**Hon Mrs Grier:** Yes. As the Premier is saying, I think it was the Leader of the Opposition who was saying, "Just cut, just do it, pass it on."

**Hon Mr Rae:** That's right. "Just cut. Just walk away. Let them solve the problem. Just cut."

**Hon Mrs Grier:** In her question, the Leader of the Opposition does a disservice to the hospitals of this province. The hospitals of this province have over the last three years worked exceptionally well and creatively together to contain their costs. They have done that at the same time as they have provided better service, more service, more procedures and seen more patients. They are doing it in a way that contains the costs but improves the quality of care. It is not easy, and I don't want to portray it as being easy, and I know it is not easy for all of the staff in hospitals who wrestle with the current situation. But I think, rather than constantly carping or finding the things that are not being done well, some credit is due to the professionals in our system, who have managed to contain their costs and at the same time keep our health care system operating as one of the best in the world.

**The Speaker (Hon David Warner):** New question.

**Mrs McLeod:** Again the minister conveniently forgets that the only thing the social contract legislation left the hospitals with was a debt for providing their critical services some time after 1996. They're saying they cannot afford to run that kind of debt, and this government refuses to deal with it.

#### CHILDREN'S SERVICES

**Mrs Lyn McLeod (Leader of the Opposition):** I will place my second question to the Premier. Premier, last week in the House we raised our concern with the fact that the Ministry of Community and Social Services is planning to generate \$4.3 million in the 1993-94 budget year through the levying of user fees on services that are provided under the Child and Family Services Act. That's \$4.3 million, Premier, in the current budget year, and you will recognize that half of that budget year is already over.

The minister, in response to questions in the House, said that basic services that agencies provide to children and their families would not be subject to user fees, but on the other hand he said that in fact everything was open to consideration and they hadn't determined precisely what services were going to be affected.

We have a further piece of background information



that went with the memorandum to the agencies which clearly indicates that the definition of "user fees" is a cash contribution made by parents towards non-residential services that their child receives. So clearly this is not just residential services that are being considered for user fees by this ministry.

Premier, I think it is your responsibility to ask this minister and to tell this House how you can possibly calculate that you will generate \$4.3 million through user fees when there has been no determination of what services user fees will be imposed on.

**Hon Bob Rae (Premier):** I will refer this to the minister responsible, the Minister of Community and Social Services.

**Hon Tony Silipo (Minister of Community and Social Services):** I appreciate the opportunity once again to comment on this matter. As I tried to indicate last week to the Leader of the Opposition, the discussion process that's going on now with representatives of the children's agencies will get us exactly the kinds of answers she's asking for today. What we have done is, yes, to set the target of the \$4.3 million for this year, but we've clearly entered into a process of discussions with the agencies so we can have a better understanding of what the impact would be; what services it is reasonable to apply some form of parental contributions to and what services it is not appropriate to apply that fee to. That information is being gathered. There is a survey, the results of which we expect to get later this week. All of that information will go into helping us determine collectively with the agencies exactly how this measure will be implemented.

**Mrs McLeod:** It seems reasonable to re-place the first question, which is, how did you come up with a figure of \$4.3 million, which is a very specific figure if you are in fact, as we know you are, still gathering data about where user fees are currently imposed in your ministry and how much revenue that generates?

The agencies that are affected by this are in a state of complete confusion over what you plan to do. They do not know which of their services are going to be subject to user fees. The families that are accessing those services don't know what they're going to have to pay user fees for. Minister, while you give us your assurances that essential services will not be affected, you cannot tell us or will not tell us what services you are planning to impose these fees on. You have said that everything is on the table, the agencies have been told that everything is still on the table, and we wonder how you can give us those assurances.

There is a statement in the memorandum that your ministry has circulated which clearly recognizes that there are some services that you are required by law to provide, and those include child protection. There is also a statement in that memorandum that says the ministry has not yet determined how it will ensure that

even its capacity to provide services under the law will be protected. How can you give us an assurance that critical services to children and families will be protected if your own ministry does not know how to keep even its legal mandate?

**Hon Mr Silipo:** I think it's important to try to put this issue into a little broader perspective. The amount of money we are talking about is significant; I don't want to deny that in any way. But it is also \$4.3 million, or \$6.7 million, the annualized amount, out of a total expenditure of over \$1 billion in this area, so I think we have to also look at it in that context.

I have said in this House, in responding to the leader's question last week, and can say again and have said publicly that we are not talking about affecting basic services. We are looking, through that process, at how to apply this measure in the most sensible of ways. Quite frankly, if as a result of those discussions we learn that in fact there are going to be problems in implementing this in the way in which we had anticipated, then we'll be more than ready to look at other ways in which this measure can be applied, in which the dollars can be found.

The member talks about the agencies being in a state of panic. I can tell her I had a discussion last Friday with some agencies and I don't think that would be the way I would categorize the issue. Certainly they don't necessarily agree with this measure, but they've also said to us, "Minister, if you tell us we have to find the money and if indeed we have to find the money, there are ways in which we can find these savings." I think it's important that we allow those discussions to continue. There is a meeting of the group next week and I am fully confident that we'll come up with a solution that everyone can live with.

**Mrs McLeod:** It still bemuses me how you can come up with a figure of \$4.3 million when you're still looking for some answers as to how you're actually going to achieve it. The minister doesn't seem to want to address the fact that yes, there are going to be problems with implementation, that yes, they're going to have to look at concerns about the impact of these user fees on the services that children and families receive. Surely they would have looked at that before they came up with a figure of \$4.3 million. And yes, Minister, that is a lot of money if it is coming from cash contributions made by parents.

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I realize you don't have your data in, but the agencies are telling us that it will be impossible to collect \$4.3 million in user fees, whatever decisions you make about what services those are going to affect. Quite clearly, if you proceed with the \$4.3 million, you are going to leave agencies with critical funding shortfalls. We have already seen that essential health care services are being jeopardized by your government's refusal to accept



responsibility for how it is going to protect those services.

I ask you today, what will happen if mandated children's services are not going to be able to generate the revenue that you're counting on from user fees? How will you protect those mandated user services? Will you continue to cut their funding by the \$4.3 million? Will they then have to cut the services, or will you guarantee today to make up any shortfall in the \$4.3 million that you expected to collect in user fees if it proves that your user fees will not generate that kind of revenue without jeopardizing services to children and to families?

**Hon Mr Silipo:** I don't want to sound repetitive on this, but I continue to say to the member that this is exactly the kind of information and the kind of discussion we are finding to be quite useful with the agencies in terms of helping us to identify what can be done. We know already from the information we've gathered that in fact there are some agencies applying a parental contribution already for some services in some areas, so there's also a question of trying to bring some greater consistency to that approach on that issue.

But to deal very specifically with the question, if we determine as a result of the discussions we are now having that to collect the full \$4.3 million out of user fees or parental contributions would cause undue burden on the service, we're more than prepared to take a look at that and then work with the agencies to see how we could identify those savings in other areas.

**The Speaker (Hon David Warner):** New question, the leader of the third party.

**Mr Michael D. Harris (Nipissing):** You Liberals and New Democrats bringing in all these user fees over the last eight years is embarrassing.

**The Speaker:** To whom is your question directed?

**Mr Harris:** The only question to be determined is who brought in more.

#### POLICE SAFETY

**Mr Michael D. Harris (Nipissing):** My question is for the Solicitor General. In March of this year, my caucus initiated a task force on crime, justice and community safety. One of the primary issues which the people of this province are concerned about is the seeming inability of our justice system to protect us. Time and time again our task force is hearing this type of concern.

We have just observed in this chamber a moment's silence in memory of Constable MacDonald. His death is a tragic example of the failure of our justice system. One of the two men charged with the murder of Constable MacDonald was a violent offender out on parole after the Sault Ste Marie police had specifically recommended that parole not be granted. This man was on parole from a federal institution.

Minister, it is your responsibility as Solicitor General to represent Ontario's interests to the federal government. It is your responsibility to ensure that the views of Ontario police, the views of Ontarians, are being heard and that those views are being advanced. What have you done to ensure that those views are being heard and to ensure that public safety is the guiding principle in all parole and temporary absence decisions?

**Hon David Christopherson (Solicitor General and Minister of Correctional Services):** Let me just say first of all that I think the honourable member understands that I, like he, am limited as to how much I can speak about. In fact, we can't talk about any of the details of any instant case that is ongoing, and I think all members of the House know that.

However, I have taken two steps as a result of actions that have happened in this province in the last few days. The first was that I met with the chair of the board of parole this morning to indeed discuss the issue the honourable member raises. Secondly, I've directed the deputy minister to immediately initiate a review of the decision to grant parole in this particular case.

**Mr Robert W. Runciman (Leeds-Grenville):** I'm pleased to see that the minister's moving in this area. I want to ask a supplementary in respect to something that certainly falls within provincial jurisdiction, a matter I raised with the Premier, I think about a year ago, and with one of his predecessors. That has to do with the request over a considerable period of time by police officers in this province to be equipped with semiautomatic handguns.

Minister, we know this falls within your area of responsibility. I think it's either an amendment to the Police Act or a regulatory change. This issue has been raised on a number of occasions; it's being raised again because of what occurred in Sudbury last week. Can you tell the House and the people of this province, police officers especially across this province today, where the issue of this request stands?

**Hon Mr Christopherson:** Yes. I can say to the honourable member that since assuming this position in February of this year, I've spent a great deal of time and effort researching this particular issue, reviewing past initiatives that have been taken in other jurisdictions. I've met with the policing community. It's been on just about every agenda I've had when I've met with the policing community. We continue to consider this to be a major issue and I have committed to the police community in this province that a decision, a position by this government, will be taken by the end of this year.

**Mr Runciman:** This government has been in office for over three and a half years. We've seen at least three deaths of police officers and I don't know how many incidents involving shootings with police officers. Certainly the Sudbury incident points to the fact that



equipping officers with the semiautomatic handgun might have made a difference in this particular situation. We can all speculate on that.

But I want to also remind members that the Premier's own bodyguards are equipped with semiautomatic 9mm handguns. I raised that issue over a year ago and the Premier said, "Well, that's not my decision."

The fact is, Minister, it's a decision of your cabinet, yourself and your cabinet colleagues to make a decision like this. We've had at least one death where the proper equipment is a serious question related to the death of this individual, and I'm saying to you that you have waited too long. You'll certainly have the support of this caucus, and I would hope the Liberal caucus, to bring in this kind of change tomorrow. Let's act today and not let another officer die in the line of duty because of the lack of proper equipment when trying to do a job on behalf of every citizen in this province.

**Hon Mr Christopherson:** I don't believe for one moment that this government has to take a back seat to any individual or any party in this House when it comes to speaking out for the police community and ensuring that we're taking the steps that are necessary. I would point to not-too-distant history, that in 1980 it was a Tory Solicitor General who also reviewed this particular issue as to the adequacy of the .38 or moving to the semiautomatic, and at that time the Tory SG determined that it should remain with the .38.

Thirteen years have gone by. Things change. There are more experiences, there is new technology, and that is why this matter is under active review and active consideration.

This is an issue that is being grappled with in jurisdictions across North America. It is not as clear-cut as the honourable member would like to make it. However, I don't want to move away from or lose the focus on the fact that this is an important issue. All of my meetings with the police community will verify that this government considers this to be an important police officer health and safety issue, and no later than the end of this year we will be very clear on where we are with regard to the policy on moving from the .38s to any other weapon.

#### OPP INVESTIGATIONS

**Mr Michael D. Harris (Nipissing):** I have a question for the Premier. I wonder if the Premier could tell us when he plans to bring in whistle-blowing legislation.

**Hon Bob Rae (Premier):** Legislation with respect to the protection of public servants who feel, after much consideration, that they have no choice but to reveal certain information—that kind of protection is important to this government, is something we've been actively discussing, and I can assure the honourable member that it's something that very much remains a part of our agenda.

**Mr David Turnbull (York Mills):** You'll bring it in before you call an election, about one week before you call an election.

**Mr Harris:** That's right. You're three and a half years into the mandate. We know it's not on your agenda for the rest of this year. This is the party that championed whistle-blowing legislation, or rights of civil servants.

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Last Friday, certainly not for the first time, in fact after many times we've seen this happen, your Ministry of Consumer and Commercial Relations and your minister confirmed that the OPP were called in to investigate an alleged leak of minutes of a meeting held for the selection of a Windsor casino. It is certainly not the first time that you or your cabinet or your cabinet colleagues have called in the OPP over concerns that information had been released, in this case information where the minister has said, "Informal meeting; certainly the leak doesn't compromise the security of the selection process." I think your minister said, "No way does this jeopardize the integrity of the process."

Can you explain to me, Premier, why the OPP are continually called in to investigate leaks of embarrassing documents of your ministers, nothing serious about public policy, when they're so short-staffed, they're so short of resources out there to protect the public? Why are they able to be called in at the whim of a minister for this kind of investigation?

**Hon Mr Rae:** Sometimes one answers a question with another question: Why did Frank Miller call in the OPP after parts of his budget were found in a green garbage bag?

**Mr Gerry Phillips (Scarborough-Agincourt):** Do you think this is a good idea?

**Hon Mr Rae:** No, I would say to the honourable member I find it interesting that the honourable member would move from a discussion about whistle-blowing to a question about an attempt to provide for some security of process with respect to certain government decisions. I'm quite happy to have this debate and this discussion, but if the honourable member is saying that there should be no confidentiality of any processes, then I would suggest that will affect the business of his caucus as much as anyone else's. There's a dramatic difference between the purpose of whistle-blowing legislation and the principle of whistle-blowing and this issue with respect to the integrity of certain decision-making processes and what would appear to be the leak of certain information.

**Mr Harris:** Premier, if you took a look at the information, the apparent minutes of a meeting, and the minister has confirmed that in no way did these minutes jeopardize the process, what they did do in fact is to directly contradict statements that were made by the minister in this Legislature, directly contradict state-



ments that she gave to me in response to my questions. So it was only embarrassing to the minister's credibility in answers she was giving in the Legislature, and for that the OPP were called in.

Do you think that's a good use of the OPP dollars, to call in and investigate when the only embarrassment the leak caused and the only contradiction and the only problem was that it contradicted the minister's own statement in the House? Do you think that's a good use of those dollars?

**Hon Mr Rae:** I would only say that it seems to me that if the deputy minister feels in this case that she—

**Mr Harris:** Now it's the deputy minister.

**Hon Mr Rae:** I'm referring to the person who authorized the investigation. If the deputy minister feels there's a concern about the integrity of the process, that it's important to her to continue to maintain that integrity, I would support the decision of the deputy minister.

#### JUSTICE SYSTEM

**Mr Robert Chiarelli (Ottawa West):** To the Premier: You are no doubt aware of the high-profile manslaughter trial of a Nepean police constable, who through an unfortunate mistake during a drug raid shot one Vincent Gardner. This tragic incident attracted a great deal of attention in Ottawa-Carleton. Consequently, it was extremely important that the trial of the police officer who fired the shot give every appearance of doing justice in this case.

My question today is in no way intended to diminish the great danger experienced by our police or their dedication to duty and protecting society, nor intended to deprive them of their right to have legal costs covered under their collective agreements. But in this case, a senior police officer was assigned to work as the investigator for the lawyer defending the constable acquitted of shooting Vincent Gardner. The accused police officer had the services of a detective who was on full police pay for six months, carried a police badge and gun, had the use of a police cruiser and had access to police files across North America.

Premier, your own crown attorney called this unprecedented, a conflict of interest, a breach of police oath and creation of a two-tiered justice system. Do you condone this type of secondment for police officers standing accused in our courts?

**Hon Bob Rae (Premier):** Mr Speaker, I'm going to refer that question to the Solicitor General.

**Hon David Christopherson (Solicitor General and Minister of Correctional Services):** Let me say to the honourable member that I'm certainly aware of the situation that he raises. He knows as well as I do that the court case was just completed, but I understand the time periods for appeals and other matters are still open. Therefore, both he and I are very limited as to what can be said in this place. I'm also advised that the Police

Complaints Board will be holding a board of inquiry, so we need to be very careful.

Let me say to him that as a result of the many questions that have been raised, I have directed the ministry to review the matter and to advise me as to the circumstances as they now sit in that community.

**Mr Chiarelli:** Perhaps the minister is not aware of the fact that a spokesperson for his ministry is on record as saying, "There does not appear to be anything improper in the arrangement." Firstly, I would like the minister to either associate or disassociate himself from that comment. Secondly, this is also a generic question which affects police departments across the province: whether or not, in the guise of assisting in the costs of defending police officers, active members of police forces will be assigned to defence counsel in cases.

Would the minister please comment on those questions?

**Hon Mr Christopherson:** I'll be pleased to comment on the two issues the honourable member raised.

The first is with regard to the quote that is in the paper from a member of my ministry. I have seen that quote. I would say to the member that was a premature statement, and until such time as I am apprised of exactly what the facts are in this particular case, it should be characterized as a premature statement.

With regard to any kind of provincial action that we might take, again I think it's important that we allow the review to take place. I need to know what steps were taken and what role the police services board played and other questions. When I have those facts in front of me, I'll be in a better position to comment to the honourable member as to whether or not we indeed need to have provincial standards specifically dealing with this type of issue.

#### TEACHERS' DISPUTE

**Mrs Dianne Cunningham (London North):** My question is for the Minister of Education and Training. Most of us in the province know that we're at day 22 of the Lambton county strike. There are some 6,730 students and some 500 teachers involved. In these tough times, when parents want their young people to be in school and when members of this Legislative Assembly believe that the rights of young people are to a good education, I would ask you this question: Since the issue is the pupil-teacher ratio, since writing it into the agreement will take away the flexibility of the school board and since there are no more dollars due to your social contract cuts, are you suggesting now that the board cave in, put it in the collective agreement and go back to the local taxpayers for more education dollars? Is that your suggestion?

**Hon David S. Cooke (Minister of Education and Training):** I'm not suggesting anything. There's a process under Bill 100 to settle disputes like this. It's



worked rather well since it was brought in by the Conservative government in the 1970s and I think the process should work in this case. My position is that the board and the teachers should get back to the bargaining table and solve the problem at the bargaining table. I don't know; maybe the member's saying we should take the right to strike away from teachers. I don't agree with that position. It's worked well in the province.

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**Mrs Cunningham:** In response to the minister, the legislation isn't working well. For the past 10 years, it's been pointed out in different committees of this Legislature, and certainly by the Macdonald commission, that the legislation should be reviewed, which we talked about in this assembly last week.

What you should know is that there is precedence for legislating teachers back to work. The precedent you would be interested in may be Windsor. After 26 days, we now have a school board 22 days into a semestered system, which many would argue is equal to 44 days in a non-semestered system. You've got the precedents in your own backyard.

You want to take a look at Sault Ste Marie? We're talking legislation after some 14 days. That could be argued 28 days.

We now have 22 days in a semestered system. The education of these young people is in jeopardy. I would ask you, as the Minister of Education and Training, will you show the leadership and legislate the teachers back to work, because the education of almost 7,000 students in this semestered school system is in jeopardy?

**Hon Mr Cooke:** I think the member should really read the legislation. There is no precedent in this province where a Minister of Education has legislated teachers back to work without a recommendation by the Education Relations Commission, whether they be Tory ministers, Liberal ministers or New Democrats. We have a process in place and everybody's rights have to be respected. It's about time the member stop playing politics and respect teachers' and everybody else's rights.

#### ASSISTED HOUSING

**Mr George Mammoliti (Yorkview):** My question is to the Minister of Housing. Madam Minister, well over a year ago I stood up in the Legislature and debated a resolution. That resolution called for a change in policy within your ministry on public housing. That resolution was passed unanimously in this place, and it asked for you to change the policy on public housing and convert your present system into a co-op or a non-profit type of system. Madam Minister, what's happened to that resolution?

**Hon Evelyn Gigantes (Minister of Housing):** The intent of the resolution has been taken to heart and work is being done at the Ontario Housing Corp to examine the potential, certainly not for a wholesale conversion

to co-op ownership or co-op operation of Ontario Housing Corp units, but to see where, in those areas in which there needs to be some redevelopment—some of the housing is quite old now, up to 40 years old, and the land on which it sits is quite valuable. There may be opportunities for redevelopment, which Ontario Housing Corp is examining and which may fit in quite well with the whole co-op concept.

In addition, Ontario Housing Corp is looking at those elements of the portfolio where on an experimental basis it might be an idea which is worth considering.

**Mr Mammoliti:** That's actually pretty good to hear, in view of what I've heard recently, more in particular in my riding, where the stock is quite old and where the staff is currently even complaining about the bureaucracy and the levels of bureaucracy in and around the public housing area.

I'd like to know how quickly this might happen. This, to us in Yorkview, is very important, and it's very important to the tenants as well who are looking forward to actually taking over their particular sites. In speaking to many of those tenants and staffers, they certainly are anxious and looking forward to the change. I'm hoping it'll happen soon. How quickly do you think this might happen?

**Hon Ms Gigantes:** I'm afraid I can't give the member an explicit date, but I can assure him that Ontario Housing Corp is interested in the notion and is looking at the potential for undertaking such a change within some communities. I can't assure him either that it will be in the community he refers to.

#### CASINO GAMBLING

**Mr Carman McClelland (Brampton North):** I have a question for the Minister of Consumer and Commercial Relations. Minister, with respect to the infamous casino project under your leadership, it has had more than its fair share of controversy and certainly a shadow of doubt has been cast over the past number of months.

You will be aware, Minister, that during the course of receiving requests for proposals, you entertained what is commonly referred to in government practice as bid repair. I find it curious and I'd appreciate your comment in response to the fact that of the bid repair offered, bid repair was only offered to four of the nine proponents. Interestingly enough, perhaps coincidentally, only the four bidders that remain on the list were offered the opportunity for bid repair.

In your concept of fairness and equality, does it seem unusual to you that the five proponents who were excluded were not offered the same opportunity? And would you care to explain how this is not further cast out in terms of the integrity of this process and, quite frankly, the rumour that's running all through the industry that the fix is in?



**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** The member talks about rumours going all through the industry. I believe the opposition is helping spur that rumour along. I want to remind the House once again that the selection process has been planned and undertaken with the utmost integrity. As the member knows, four of our most senior and respected deputy ministers are in charge of that selection process. As well as that, this committee receives assistance from a citizens' review panel that has been put there to assure that the selection criteria and the process are fair and complete.

For the member's benefit, I will raise the names of these people: Helen Sinclair, president of the Canadian Bankers Association; Charles Clark, a Windsor businessman and retired lawyer; and Gordon Wilson, president of the Ontario Federation of Labour. These people have been following the process closely and would, I'm sure, assure you that the process of integrity which has been developed has been followed.

**Mr McClelland:** Minister, I find it noteworthy that in your response you failed to comment at all, no comment whatsoever, with respect to the bid repair and the fact, I remind you, that it was offered to only four of the nine proponents. Four of them are remaining, and one of them is what is commonly considered to be the front runner and—let's tell it as it is—the proponent there's some serious question about.

Minister, I'm going to ask you very directly: You have launched an OPP investigation into the released minutes of the selection subcommittee meeting. I want to remind you again that the only people I am aware of to date who have been interviewed are the proponents who were not included on the short list. Two things come to mind here: They were not given an opportunity to repair their bid, and they have been interviewed. One of them says as follows: "I guess what they"—the ministry and presumably you, Minister—"are really interested in knowing is whether anybody got any other information."

Minister, what's wrong with this process that you've got the OPP out investigating with respect to the unsuccessful bidders, the ones who were excluded by your process? Notwithstanding your pre-recorded answer that we hear over and over again, when are you going to come clean and tell us that you're prepared to reveal precisely what the OPP are looking for and allow them to investigate the nuances, the weird things, quite frankly the absurd things, that have happened with respect to this process? Tell us about the bid repair, tell us what the OPP are up to, and tell us why they are talking to the people who were not included on the final list.

**Hon Ms Churley:** I believe the member is asking me to interfere in an OPP investigation. I certainly can assure the member right now that I will not do that. The

OPP were called in by the Deputy Minister of Consumer and Commercial Relations, who is the chair of the selections process. It is her job, her duty, to assure the security of the information of a very sensitive process. As you and members of the Tory party point out almost every day, the integrity of this process is very important. In such a sensitive process as this, the deputy felt that it was important in terms of the security of that information being kept—to ensure the integrity, she wanted a review of security measures at this point, and I think it was most appropriate.

1450

#### CORPORATE MINIMUM TAX

**Mr W. Donald Cousens (Markham):** In the absence of the Premier and the Minister of Finance, I'll direct this question to the Minister of Economic Development and Trade.

The corporate minimum tax has business quite concerned. In fact, since we've started our own special task force on cutting red tape and growing small business, this has surfaced as one of the major issues to large and small businesses alike. Red tape and taxes are already a huge burden to business in Ontario. They have special concerns about this new tax that was announced in the budget of your government.

In defence of business, which is your job as Minister of Economic Development, and to create a better climate for business, how can you justify imposing this tax?

**Hon Frances Lankin (Minister of Economic Development and Trade):** I think the Minister of Finance has spoken on this issue many times in terms of an issue of tax fairness. At this point in time in this province, in fact in this country, there are many situations where corporations, those that are still earning profits at this point in time, are not paying any taxes. With the revenue situations that governments face right across this country, it is an issue of tax fairness.

I will point out to the member that in support of where the majority of the jobs are created, that area of small business, it was also the Minister of Finance's announcement that small business will be exempt from this.

**Mr Cousens:** The minister comes and suggests there are some businesses that aren't paying their taxes. Name one. The fact of the matter that we're hearing through our discussions with small business and large business is that they're being sucked dry by taxes and caused tremendous hardship through the time and effort it takes them to fulfil the regulations. They're burdened with taxes, they're burdened with paper, they're burdened with regulations, so we as people in the province of Ontario have to face up to the fact that this is becoming unacceptable to business. They have reached the tax wall.

What can you do—and you can do something as the



minister, one of the lead ministers of this government—to protect business from this tremendous erosion of confidence in doing business in the province of Ontario?

Rather than just say there are some that aren't paying it, I have an example here of one large, billion-dollar corporation in the province of Ontario, and because of this new tax, it's going to end up having numerous audited statements being made of its small businesses. It's costly, it's time-consuming and it's eroding confidence in Ontario.

Tell us, can you not revisit this tax and do something to help business in Ontario?

**Hon Ms Lankin:** The member will know that the design of the tax is being done by the Ministry of Finance, in consultation with people in the business community, to try to ensure that paperwork, paper burden requirements, for example, are eased. I have said on a number of occasions in this House that there is a series of initiatives we have undertaken with respect to trying to clear the red tape and the paper burden.

The announcement of the Tory caucus last week of a committee to travel the province to talk to business about streamlining business is just study. What we're doing is action. I've told you about the initiative to achieve a master licensing system. I've told you that we have situations now where we're able to have small businesses come forward and they will be able to register for the employer health tax, workers' compensation, business names registration all in one place instead of having to go to various ministries. We are working towards a unified tax reporting system. We have moved already from more than once a year filing of the employer health tax to annual filing of the employer health tax. We have reduced the tax rate for small business from 10% to 9.5%. We have a series of initiatives which I think are very important for small business and which will help small business with respect to investment and creation of jobs.

Contrary to what the member says, in fact, business confidence—

**The Speaker (Hon David Warner):** Could the minister please conclude her response.

**Hon Ms Lankin:** —is increasing in this province and we are pleased to see the increased investment that's coming into Ontario.

#### EGLINTON WEST SUBWAY

**Mr Tony Rizzo (Oakwood):** My question is to the Minister of Transportation. In February of this year, you, along with the Premier, announced a commitment to the funding of the Eglinton West subway line using Jobs Ontario funds. We were informed that the government would fast-track plans for its construction and that the design work for this project was to start immediately.

In light of a predicted revenue shortfall and continued

attacks by the opposition on the Jobs Ontario program, can you tell the House whether this much-needed investment and the jobs it will create are still on track?

**Hon Gilles Pouliot (Minister of Transportation):** I welcome the sincere interest in what actually is the first shovel-in-the-ground work to be done on subway construction since 1980.

No work is possible without environmental assessment. The review is right on schedule. The contract will be awarded in the spring of 1994. We're looking at \$525 million to meet public necessity, public convenience. It will put 9,000 people to work; 12,000 additional people will be impacted indirectly. It will be accessible for the disabled. It's a win-win-win situation.

By way of conclusion, the official opening will take place in the year 2000, seven years from now, during our second term.

#### TEACHERS' DISPUTE

**Mr Charles Beer (York North):** My question is to the Minister of Education, and it also relates to the issue of the Lambton county secondary school strike.

Minister, as you know, one of the questions we've had around school strikes in this province has been the whole issue of when the education of the students is in jeopardy. When is that finding made, and how do we define when the education of the students is in jeopardy? Most of the phone calls that all of us are receiving from Lambton County, from Sarnia, are parents saying: "What does that mean? When is the education of my son or daughter in jeopardy?"

Minister, can you tell this House what your position is in terms of when the education of the pupils in Lambton County is in jeopardy? Is it now, after some 20 or 22 days of strike? Is it 30 days? Remember again that we are in a semestered school. What is your view around when jeopardy comes into action?

**Hon David S. Cooke (Minister of Education and Training):** The member will know that's exactly the role of the Education Relations Commission, one which they've had experience with in other circumstances in the province. They make that determination as to when they believe the school year is in jeopardy.

When they believe the school year is in jeopardy, they make a recommendation to the Minister of Education, and at that point the minister decides whether he or she is going to act. That is the process that's been followed by your government when you were in power, and by other governments. To do it any other way would have serious and dramatic consequences for free collective bargaining in the education sector. You know that, you understand that, so I hope you'll respect that process.

**Mr Beer:** It is precisely because we are trying to respect that principle that we have to come to grips with this whole question of jeopardy, particularly with sem-



estered schools, because when the bill was originally set out, we didn't have such a beast as semestered schools.

What parents are saying is, "Why do you politicians down at Queen's Park always hide behind, 'Well, we can't do this because we've got this process here and we've got another process over there'? There is a fundamental problem with determining jeopardy."

If, as you say, you want to protect the collective bargaining process—and I think that is an important principle—but recognize as well that there are not only the rights of teachers and the rights of school trustees, but there are the rights of the kids to have an education, will you then today, when you leave this House, take it upon yourself to place a phone call to the chair of the school board and to the head of the negotiating committee for the teachers and invite them down to Toronto to sit with you tomorrow and hammer out a solution so the kids in Lambton and Sarnia can get back to school and their rights to have an education can be truly realized? Will you do that, Minister?

**Hon Mr Cooke:** The member will know that is exactly, again, the role that the Education Relations Commission fills, and that to have the Minister of Education of the day intervene in disputes would not be particularly helpful. You know that, and I hope you understand that.

I can indicate to the member that we are in contact with the ERC on a daily basis. I personally have talked to them on a number of occasions, and the ERC also updates us every morning by phone calls with regard to the Lambton situation.

After the matter was raised by the member from Sarnia, Mr Huget, I specifically talked to the ERC to make sure that the fact that this school system was a semestered system would be taken into consideration as the process went through, and I reported to the Legislature when the member raised that matter a couple of weeks ago that this was the case. A semestered system is one of the factors that goes into consideration when determining jeopardy.

1500

#### PHOTO RADAR

**Mr David Turnbull (York Mills):** My question is to the Minister of Transportation. Minister, when you initially had your staff briefing me on the question of photo radar, there was an indication that the photo radar units would be unattended. Indeed, we were told there would be significant efficiencies in the system and help to the police in this respect.

Last week, you said that the police would monitor the equipment. Now, in conversation with the Solicitor General's office, they have indicated to us that in fact these pieces of equipment will be mounted in police cars. Therefore, there will be no savings in manpower.

So, will you tell me, Minister, which is the case? Are

they going to be mounted in cars operated by police officers, or are they going to be remote, unmanned locations?

**Hon Gilles Pouliot (Minister of Transportation):**

We have the concept, the ideology of this safety initiative that was raised yet one more time last week. There seems to be an ongoing—people are getting on the bandwagon. Collectively, they're concerned about excessive speed. That kind of reaction is certainly most welcome. The member opposite goes beyond. He's talking about gizmos and gadgetries.

The Ontario Provincial Police, those women and those men in blue, will have the jurisdictional capacity under their auspices, under their tutelage, under their experience. They will set, they will administer, the photo radar system. It's not all that complex. I welcome the question and I hope that the member gets it. It's no big deal. Everything's going to be okay, David.

The thing is, we're going through with photo radar. It is a safety initiative and it will be done in accordance with the high standards set for it by the OPP.

*Applause.*

**Mr Turnbull:** I find it rather surprising that the members of the government can applaud a non-answer. My question was very simply, are these going to be attended units mounted in police cars or not? Now, my supplementary revolves around the question of the constitutionality of these types of checks, if indeed they are sent and the owner of the car, as opposed to the driver of the car, is charged.

Minister, I know that even you wake up from time to time in briefings in the ministry and they tell you that there is the potential that there will be a constitutional challenge. I have asked you whether these are going to be attended. If they are attended by police, my question is, why are you going to the expense of buying this expensive equipment when the police could be using the present equipment and avoiding any constitutional challenge?

**Hon Mr Pouliot:** I welcome the question. In fact, we're so awake, to quote the distinguished and honourable member opposite, that with this administration we do realize that things do change. We are at the crossroads. It is the Ontario Provincial Police that welcome these initiatives. Times change and you must keep up with the change. It is so simple that each and every Progressive Conservative in this province, what's left of them, understands that.

We're not talking about redefining the atom here. It's a simple, straightforward safety initiative. It is designed to save lives and goes a long way to making the roads of Ontario the safest indeed in North America.

*Interjections.*

**The Speaker (Hon David Warner):** Order.



## SEWAGE AND WATER TREATMENT

**Mr Gordon Mills (Durham East):** They're out of control and I haven't said anything.

**The Speaker:** To whom do you wish to address your question?

**Mr Mills:** I've got a sore throat. My question is for the Minister of Environment and Energy. My riding has quite a lot of environmentalists. This is a question that they tell me.

Mr Minister, the Tory minister, Pierre Vincent, is quoted, in response to you, as saying that he doesn't want to spend a lot of money on sewage treatment within the Great Lakes because he wouldn't have any money left for the environment. So, Mr Minister, that's a bit of a nutty statement. I'm not an expert on the environment or an expert on the Great Lakes, but I would have thought that sewage treatment plays an important part in the environmental health of the Great Lakes.

My question, Mr Minister, is this: Who's right and who's wrong? Is sewage treatment a component of the environmental protection of the Great Lakes, or is he wrong and are you right? Who's right?

**Hon Bud Wildman (Minister of Environment and Energy):** I appreciate the interest of the member. I know that he is referring to—

*Interjections.*

**The Speaker:** Order.

**Hon Mr Wildman:** He is referring to press reports in which the federal minister, Pierre Vincent, was responding to questions about the International Joint Commission's recommendations for the cleanup of the Great Lakes. In response to that, I had indicated that it would cost probably in the neighbourhood of \$2 billion over the next seven years to carry out all of the rehabilitation works required to improve water quality. I had indicated that we would consider spending, over that seven-year period, half of that amount if the federal government would also participate in spending the other 50%. We are already spending considerable amounts each year on this matter.

It's unfortunate that the federal Minister of the Environment doesn't understand that improving and upgrading water and sewer facilities improves the environment. He seems to think they are separate. Of course he must have been misquoted. I'm sure the federal Minister of the Environment understands the environment.

## PETITIONS

## GAMBLING

**Mr Ron Eddy (Brant-Haldimand):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas the New Democratic Party government has not consulted the citizens of the province regarding the

expansion of gambling; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas credible academic studies have shown that state-operated gambling is nothing more than a regressive tax on the poor; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the government has not attempted to address the very serious concerns that have been raised by groups and individuals regarding the potential growth in crime,

"Therefore, we, the undersigned, petition the Legislative Assembly as follows:

"That the government immediately cease all moves to establish gambling casinos and refrain from introducing video lottery terminals in the province of Ontario."

It's signed by several residents of my riding and I affix my signature.

## ST GREGORY SEPARATE SCHOOL

**Mr Chris Stockwell (Etobicoke West):** I again come forward with a petition from the parents and students of St Gregory Catholic school in my riding. I will note that some of these names of the thousands of people who have signed live right by me. It goes:

"To the Legislature of Ontario:

"Whereas the voters and taxpayers of St Gregory's school community have been requesting funds for a much-needed renovation and expansion of the present facility for 11 years; and

"Whereas the Metro separate school board has placed St Gregory school as one of the highest priorities"—again, I think it's the highest now—"on the capital expenditure forecast list;

"We, the undersigned, petition the Legislature of Ontario to allocate capital funds to the St Gregory school expansion capital program."

I will again sign my name to this and hope it gets someplace.

## PICKERING AIRPORT LAND

**Mr Jim Wiseman (Durham West):** I have a petition here from people all over southern Ontario—Ashburn, Uxbridge, Pefferlaw, Willowdale, Greenwood, Guelph, Greensides Avenue in Toronto, Mississauga, Oshawa—to the Legislative Assembly and Lieutenant Governor of Ontario:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government sale plan,

"We, the undersigned, petition the Legislature of



Ontario as follows:

"Therefore, that the provincial government of Ontario request of the federal government of Canada to initiate a public review by panel of the federal Ministry of the Environment to ensure an organized disposal protecting these rural resources and the community of residents therein."

I think this is absolutely essential, given that the federal government doesn't know what it's doing in north Pickering.

1510

#### LANDFILL

**Mr Charles Beer (York North):** I have a petition to the Legislature of Ontario:

"Whereas, we the undersigned, petition the Legislature of Ontario as follows:

"We are opposed to a megadump in York region as required by the Waste Management Act, 1992. We want the Ontario government to include alternative solutions to landfill and waste management issues and to find a more equitable plan for waste handling in Toronto and its surrounding areas."

This is signed by over 100 residents of Aurora. I think it's interesting to note that they're not immediately adjacent to any of the sites but are expressing their strong views that the government's policy is misguided. I have signed my name to this petition.

#### HEALTH CARE

**Mr Gary Carr (Oakville South):** Constituents from my riding of Oakville South have asked me to table a petition which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the government's proposed legislation to slash health care services will further damage Ontario's health care system,

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to implement a more rational and cooperative approach."

#### POLICE SERVICES

**Mr Larry O'Connor (Durham-York):** I've got a petition here that I'm bringing forward on behalf of my constituents who are concerned about the preservation of law and order in their community. The residents are concerned about an article which appeared in the September 14 issue of the local Brock newspaper which threatens that Brock residents might lose their OPP station. A petition to the Legislative Assembly of Ontario:

"Whereas the OPP station in Beaverton has been a long-standing, integral part of the Beaverton area; and

"Whereas many officers have established permanent homes in the Beaverton area and have become strong voices in the community, volunteer and non-profit groups; and

"Whereas the OPP station provides an economic benefit for the Beaverton community; and

"Whereas the OPP station provides a much-needed policing presence,

"We, the undersigned, petition the Legislative Assembly as follows:

"We demand that the government of Ontario maintain the OPP station in Beaverton as a closure would be detrimental to the interest of security, safety and the wellbeing of all Brock residents."

I support this fully and here affix my signature.

#### LONG-TERM CARE

**Mrs Barbara Sullivan (Halton Centre):** I have a petition to the Legislative Assembly of Ontario which reads as follows:

"Whereas the government of Ontario has stated that multiservice agencies, the new single local point of access for long-term care and support services, must purchase 90% of their homemaking and professional services from not-for-profit providers, therefore virtually eliminating use of commercial providers,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We protest the action to drastically reduce the service provision by commercial providers and respectfully request that the impact of this policy decision, including a cost study, be performed before any further implementation."

I concur with this petition and I've affixed my name to it.

#### PICKERING AIRPORT LAND

**Mr Larry O'Connor (Durham-York):** I have a further petition here to the Legislative Assembly and to the Lieutenant Governor of Ontario:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government sale plan,

"We, the undersigned, petition the Legislative Assembly as follows:

"Therefore, that the provincial government of Ontario request the federal government of Canada to initiate a public review by panel of the federal Minister of the Environment to ensure that disposal of these lands is by protecting the rural resources and the community residents that lie in there."

This petition has been signed by a lot of people from the rural parts of Uxbridge and Stouffville and a lot of them are long-time tenants on this property, and I affix my signature.

#### RETAIL SALES TAX

**Mr Dalton McGuinty (Ottawa South):** I have a petition addressed as follows:



"To the Parliament of Ontario:

"Whereas the government of Ontario has proposed in their spring budget of 1993 to impose a tax on beer produced by the general public for their own consumption at brew-on-premise facilities in the province of Ontario,

"We, the undersigned, will not accept an attempt to tax our own labour and efforts to make our beer and wine at brew-on-premise facilities for our own consumption. Further, we feel this attempt is shortsighted and extremely counterproductive. The brew-on-premise facilities we support contribute to our local and provincial economies and represent the true entrepreneurial spirit which will drive our economic growth in the future."

I agree with this and I'll affix my signature.

#### INTRODUCTION OF BILLS

CITY OF NORTH YORK ACT  
(VITAL SERVICES), 1993

LOI DE 1993 SUR LA CITÉ DE NORTH YORK  
(SERVICES ESSENTIELS)

On motion by Mr Mammoliti, the following bill was given first reading:

Bill 95, An Act to provide for the passing of vital services bylaws by the City of North York / Projet de loi 95, Loi prévoyant l'adoption par la cité de North York de règlements municipaux relatifs aux services essentiels.

**Mr George Mammoliti (Yorkview):** The purpose of the bill is to allow the city of North York to pass vital services bylaws so that vital services such as electricity, gas and hot water can be provided to the occupants of rented premises when the landlord fails to provide them.

#### ORDERS OF THE DAY

LABOUR RELATIONS AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT LA LOI  
SUR LES RELATIONS DE TRAVAIL

Deferred vote on the motion for second reading of Bill 80, An Act to amend the Labour Relations Act / Projet de loi 80, Loi modifiant la Loi sur les relations de travail.

**The Speaker (Hon David Warner):** There is a five-minute bell. Call in the members.

*The division bells rang from 1517 to 1522.*

**The Speaker:** Mr Mackenzie moved second reading of Bill 80, An Act to amend the Labour Relations Act. All those in favour of Mr Mackenzie's motion will please rise one by one.

#### Ayes

Abel, Akande, Allen, Bisson, Buchanan, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Duignan, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-

South Hastings), Klopp, Laughren, Lessard;

Mackenzie, Malkowski, Martel, Mathysen, Mills, Morrow, O'Connor, Owens, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rizzo, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Wiseman, Wood, Ziemba.

**The Speaker:** All those opposed to Mr Mackenzie's motion will please rise one by one.

#### Nays

Beer, Callahan, Carr, Cleary, Conway, Cousens, Cunningham, Curling, Eddy, Eves, Ferguson, Grandmaitre, Harris, Johnson (Don Mills), Mahoney, McGuinty, Miclash, Morin, Murphy, O'Neil (Quinte), O'Neill (Ottawa-Rideau), Offer, Poole, Ramsay, Runciman, Ruprecht, Sola, Sterling, Stockwell, Sullivan, Villeneuve.

**The Speaker:** The ayes being 56 and the nays 31, I declare the motion carried. Shall the bill be ordered for third reading? The standing committee on resources development, agreed? Agreed and so ordered.

**Hon Brian A. Charlton (Government House Leader):** Mr Speaker, I believe the next order is the first opposition motion from the Conservative Party.

#### OPPOSITION DAY

CORNWALL ECONOMIC AND SAFETY CONCERNS

Mr Harris moved opposition day motion number 1:

Whereas the people in the Cornwall area are becoming increasingly concerned with the inability of law enforcement officials to combat the serious and growing problem of smuggling in the region between Ontario, Quebec, New York and native jurisdictions; and

Whereas the provincial NDP government continues to pursue tax policies which encourage the growth of the underground economy, resulting in the loss of business to legitimate operators and reduced provincial revenues; and

Whereas the level of lawlessness is such that police believe they can no longer protect local residents and visitors on area waterways, thus depriving both residents and tourists of the peaceful enjoyment and use of valuable provincial tourist and recreational resources;

Therefore, this House calls on the NDP government to re-examine its spending priorities and recognize public demand and need for increased investment in community safety initiatives in the region; and

To re-examine its taxation policies in so far as they encourage the development of an underground economy and thus contribute to the development of criminal activities in the area; and

To take immediate steps to support the police in order that they have adequate resources to protect the residents of the area.

**The Speaker (Hon David Warner):** The Minister



of Northern Development and Mines.

**Hon Shelley Martel (Minister of Northern Development and Mines):** My apologies to the leader of the third party, I understand there's been unanimous consent to divide the time equally between the three parties for this debate.

**The Speaker:** Do we have unanimous agreement to divide the time? We do that anyway, so agreed. The leader of the third party may begin his leadoff.

**Mr Michael D. Harris (Nipissing):** I know there are a number in the Legislature, I'm sure on all sides of the House, who wish to comment today on this motion and on this situation. My caucus felt it was important that we have this debate. We thought it was important that we focus attention on what's happening in the Cornwall area and Cornwall region. Quite frankly, we are astounded that there isn't more discussion going on about potentially billions of dollars, for sure hundreds of millions of dollars, of lost revenue in cigarettes and booze, and we fear, once those highways are set up, illicit drugs and other contraband as well, so there is a dollar concern here. There is an organized crime concern: Because of the huge profits involved, we now have organized crime involved in this smuggling in and around the area. There is a very, very serious tourism and image problem that is allowed to occur as these stories spread their way around the world.

I ask everyone in the Legislature, as I am asking Ontarians, just to stop and think. If in your home town, if in Callander, Ontario, where I grew up, if in North Bay where I live now—think about the outcry in Toronto if the word was out that your mayor was in hiding and afraid to come public. Can you imagine in Toronto if the word was out that June Rowlands, the mayor of Toronto, was afraid to come out; that she isn't chairing the meeting, she isn't attending the committee function, she's not doing her job because she's afraid for her life, she's afraid for her family's life? Can you imagine the outcry? Can you imagine the response there would be? If it was your town, would you not feel outraged that this lawlessness was being allowed to escalate?

1530

This has been going on for a period now of a couple of years and building, and the only response has been, "We've got a task force," and "Let's blame the federal government for some of it because some is within its jurisdiction." If you want to point the finger, fine. It bothers me when governments use that as a defence: "Others are just as bad as we are, and the others aren't doing anything, so why should we?" That's no defence, no defence at all. In fact, to me that is just an admission of guilt, that by doing nothing and not responding we're allowing this situation to escalate.

I note that the revised estimates for this year for tobacco taxes in the province of Ontario is \$900 mil-

lion, I'm told. It was \$910 million, I think, in the budget. The Minister of Finance has revised that to \$900 million as the estimate. The industry tells us that about 20% now of cigarettes sold in Ontario are contraband or smuggled cigarettes, that it is \$150 million to \$200 million that we're not collecting in Ontario that we would be if all the cigarettes smoked in Ontario were legal, were not smuggled.

This level, we are told, is about where Quebec was about a year and a half ago, 20%. Quebec now is close to 50%; the industry estimates put it at 50%. At the rate of escalation of these smuggling highways, as they've become known, the rate of escalation that we've experienced here and the example in Quebec says that within a year, a year and a half, 50% of the cigarettes in Ontario that are smoked here will be smuggled. That translates into over half a billion dollars in lost provincial revenue, not counting the federal revenue. I haven't got the actual figures in front of me; the Treasurer can tell me how much the feds tax. But the feds have never, in my experience, been ones to lag behind, no matter who was in government there, so I assume there's half a billion there as well. We're dealing with about \$1 billion just in the cigarette tax revenue that's lost. You would think for a dollars-and-cents reason alone that we'd be wanting to have more than a 20-foot skiff, which is what the OPP has, to fight the whole problem in the whole region.

The government may point out, "The RCMP has a role here," and I agree they do. I think the RCMP has its—what do you call those rubber boats you put outboard motors on? Zodiacs. I don't want to run down Zodiac. Actually, I've been in one of those and they're kind of a neat boat, but they're no match for these \$200,000 and \$300,000, 80-mile-an-hour speedboats armed with machine-guns that the smugglers are using. Are you going to go out in a rubber dinghy Zodiac, the OPP in a 20-foot skiff? We found out today they can't even have an automatic pistol. We're outgunned, we're outstaffed, we're outmanned. The criminals are taking over and we're sitting back and saying, "Well, we've got a task force that's going to report in a couple of months."

That's not good enough. I suspect, and I don't mind standing here and saying it, it's because it's a small town in eastern Ontario, the Cornwall area, that you think you can sit here in Toronto in the Legislature and virtually ignore it, and that's not acceptable. That is not acceptable. I ask all of you in this Legislature to think of Cornwall as your town, as your riding. How would you feel? I ask you to translate that feeling into a vote today in favour of this motion. I think we can unanimously support this resolution, which really calls upon the government to get to it, to take immediate steps to support the police, to give them the adequate resources they need to protect the residents of the area; to take a look at the taxation policies.

We're into the law of diminishing returns. If the taxation policies stay the same, if the differential on tax on cigarettes is the same, then the fact is that we're going to lose another \$300 million within the next 12 months. That's what the situation in Quebec has told us. That's not even counting the booze. That's not talking about the drug problem. That's not talking about the lost tourism. The taxes we're losing on alcohol are going to amount to more than that.

I know there are lots of things that have not happened. I realize that the natives I have talked to are afraid now to speak. They fear for their lives, their children's lives, their families' lives. The law-abiding natives also tell us that organized crime is now in there. When we held the meeting in Cornwall of the task force we launched on crime and community safety, bullets were fired from the river at the town building across the street from where our meeting was being held.

**Mr Gregory S. Sorbara (York Centre):** They just missed their mark.

**Mr Harris:** Some say they just missed their mark. I appreciate those who want to trivialize legislators sitting in a meeting in Cornwall while bullets are being fired at them, with apparent immunity, from the river.

**Mr Sorbara:** Immunity from the river?

**Mr Harris:** Shot from the river.

In August, a Quebec man was shot in the stomach in his boat, downriver from Cornwall. Cornwall's mayor, Ron Martelle, as I indicated to you, was forced to go into hiding after receiving threats against his life. What did he do? He spoke up on behalf of his community. He called for police action to stop the lawlessness, and he was forced into hiding. In Cornwall, the local coast guard no longer patrols the area at night because of the danger. The Mohawk police on the Akwesasne reserve said they won't even try to enforce customs laws within their own jurisdiction. They're afraid for their lives. They're out-gunned; they're out-manned.

The response from the coast guard and the OPP has been to inform us to stay off the river. This is our river. The response is, "Stay off it." We give up. We give it to organized crime. We give it to the criminals.

We've got money to call in the OPP to investigate a leak when some leaked document comes out from the ministry that points out that the minister misled the House. There we've got resources to call in the OPP. The minister gave information to the Legislature that was wrong, and that document was leaked. We've got money to call in the OPP to investigate that. We've got money to call in the OPP to do the bidding of the NDP for clearly partisan purposes, and we don't have resources to stop crime, organized crime, and the smuggling that's taking place in Cornwall.

I would hope that every member of the Legislature would think about this resolution. I've made some com-

ments which some may think are partisan, but the resolution speaks for itself. The resolution is straightforward. It calls on the government to no longer ignore this situation that is taking place. I ask for all-party support because I think it will make a difference. I think it will force the government into moving faster, quicker, with more resources and more resolve. That's not only in the interests of the people of Cornwall and the region; I think that is in the interests of all Ontarians. For that reason, I call on everyone to consider supporting this resolution today.

1540

**The Acting Speaker (Mr Noble Villeneuve):** Further debate?

**Mr Kimble Sutherland (Oxford):** It's a pleasure for me to rise today and speak to this resolution put forward by the leader of the third party. The leader of the third party has indicated that the government is not doing anything, that it has not responded to the issue. I want to take him to task on that issue and indicate throughout my remarks, as I think my colleagues will indicate throughout their remarks, that the government is taking action.

However, the first point that needs to be mentioned and repeated over and over again is that the main responsibility for the smuggling issue is not the provincial government's.

**Mr Chris Stockwell (Etobicoke West):** You buck passer.

**Mr Sutherland:** It's not a question of passing the buck; it is the reality. We're talking about international borders, goods coming across international borders. The federal government has the responsibility for enforcing those borders to ensure that illegal goods aren't coming across those borders.

Needless to say, once we've pointed out that the federal government has the lead responsibility, there are still things that the provincial government can do and has done. I think it's important to point out that we have seen leadership. The Solicitor General met with the mayor of Cornwall and local community representatives. My colleague the member for Yorkview was at that meeting as well. The Solicitor General has also met with the federal minister, Doug Lewis, to talk about those issues and has initiated contact with the other jurisdictions.

You must remember that we are talking about international borders and international waters, two levels of federal government, one other province and one state jurisdiction, and all in the context of also respecting, when we're talking about this area, the natives' right to self-government in the Akwesasne area.

We've heard a lot about taxation issues, and it's important to understand a few things about the taxation issue. The resolution says "whereas the provin-



cial...government continues to pursue tax policies which encourage the growth of the underground economy." We know what things encourage more growth in the underground economy. This government has not increased the provincial sales tax; remember, the Liberal government did do that during its time in office. For the last two years we have not touched cigarette taxes; we have not increased those taxes whatsoever. I also go back to the very beginning of this government and something else we did to keep money in hands and pockets: We didn't add the PST on to the GST, as you recall our very first piece of legislation we passed. This government has done things, has understood the issue of taxation and has not increased the sales tax and cigarette taxes.

We also know too that in this Cornwall area different forms of smuggling have gone on for many years. My understanding is that during Prohibition time there were smuggling routes through there, and throughout different periods there have been times when border communities in eastern Ontario have had smuggling ongoing. Obviously, it's a serious issue at this time. The most recent levels of increase, though, have come about, from my understanding, starting in 1987-88 and picking up from 1989 on. Of course, that does correspond with the time we had the implementation of the goods and services tax.

When we're talking about taxation policies and the Tories are trying to say that this is solely the provincial government's responsibility in the time we've been in here, they need to think about their federal cousins who brought us in the goods and services tax, a large increase in the sales tax that people had to pay, and what that's done to encourage an underground economy and smuggling.

As I said, though, there are some responsibilities that we do have, and we do take them seriously. We have put additional focus on enforcement. If you recall, back in the spring budget the Minister of Finance talked about increasing the number of enforcement officials on tax issues. Those officials will be working with the other enforcement officials, the Ontario Provincial Police and the Royal Canadian Mounted Police, who also have responsibility on this issue. The focus, though, isn't just to deal with the issue, as the leader of the third party has put forward, in just one way; it's to get right at the heart of the issue and try to target the beginning of the smuggling pipeline and also to get at the distributors of this problem.

I think it's important to understand that many people who purchase smuggled products, cigarettes, and I think most of us recognize and acknowledge the fact that it goes on in most of our communities, feel that no one gets hurt by that, that the only ones who are impacted are governments and that's because they're overtaxing us. I think all of us need to understand that people do

get hurt. As the leader of the third party has pointed out, and rightly so, there is an impact at play. There's an impact at play for the people of Cornwall in terms of how they feel about their safety. There's also a whole question of how local retailers and wholesalers feel. I had a local wholesaler call me on Friday who does wholesale cigarettes. Their business is down because people are purchasing smuggled cigarettes.

When people think that it has no impact on them and they're not hurting anyone, they are hurting many people, first of all in terms of the impact it does have on the provincial revenue. They may say, "That's only the government," but they have to remember that it's the government that funds a great deal of the important services—health care, education—that have come to make us and define us as who we are as Ontarians, who we are as Canadians. I mentioned my local wholesaler and the decrease in the jobs for that person.

So in terms of not having any impact, it's impacting their neighbour who may be employed by that wholesaler. It's impacting their local convenience retailer, the convenience store owner in their neighbourhood whose sales are down or who also knows there's a market for smuggled cigarettes and unfortunately has had to take more action in terms of installing stronger security systems. That has an impact on their costs and it has an impact on entire communities. We also know of those who have been transporting cigarettes to different stores and the security measures they've had to take and the number of thefts of cigarettes.

It does have a real impact. I think everyone who's out there purchasing smuggled goods—and it's not just cigarettes; whether it be alcohol or any other types of goods, smuggled or stolen—needs to realize that that has had an impact on somebody and probably has had an impact on somebody in their very own community. I think those points are important to remember.

I want to come back to the issue of what this government has done, or in fact I would say hasn't done, because it hasn't raised tobacco taxes for two years in a row. That, as a result of many reasons, obviously impacts on different communities from my part of the province in terms of tobacco-growing communities and also in terms of what impact, obviously, increased taxes have on that. So the provincial government has taken action to not increase tax levels that would encourage underground economy smuggling. As I said, tobacco taxes, for two years, have not increased the provincial sales tax.

Also, coming back and talking again and reminding people about what impact that does have has been indicated. There is some impact on provincial revenues. Everyone recognizes that. But I think also it's very hard for people to make the connection between the impact on government revenues and how that plays back into their communities in terms of the many public services

that are funded through those revenues. That puts a lot of pressure on the local communities, the local services, to be able to maintain those services, and of course on all levels of government.

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I just want to go over some of the things that the government is doing in looking at our approach to deal with the smuggling issue. I did mention earlier about the 1993 budget and significantly higher penalties. The budget provides for an increase in the tax to 10 times the tax payable for persons in possession of 50 or more cartons of unmarked cigarettes—that's one case—and also increases the jail terms. They can be up to two years for dealers found in possession of smuggled cigarettes.

So we're increasing the penalties. We're trying to find a more integrated approach in terms of ministry enforcement officials working with the OPP, working with other enforcement officials. I mentioned about the initiatives for federal-provincial cooperation and the Solicitor General, who I'm sure will make more reference to those efforts in the establishment of a task force to deal with the issue. We know that more has to be done. There has been more aggressive enforcement over the past 10 months and more will be done through different types of measures to deal with the issue.

I think it's important to understand that it's not just a very simplistic issue. It's easy to say, "Just reduce taxes and you'll solve the problem." One of the studies that has been done on that issue showed that this didn't solve a problem in the United States. They did a study about tax evasion and they found, even in those areas where taxes were reduced, that it didn't solve the problem of tax evasion.

We need to understand that there's a much more complex issue involved when we're talking about the smuggling issue than simply reducing taxes. That in itself won't solve the problem.

Of course, the other thing we need to do is send out a message there. I think many people feel that they can't get caught, or there's no penalty now. I think the government realizes that it needs to do a much better job of publicizing successful prosecutions. People do need to understand that there are penalties, that the law is taking action and that they may suffer the consequences. The public needs to know that.

I want to say that there are those many different initiatives, whether it be the Solicitor General, whether it be through the Ministry of Finance, whether it be through some of the other government agencies that are available. We take the issue very seriously. We are doing what we can, but we also need to understand that they need a lot of the public's cooperation and understanding that at the bottom end, whether it's at their local workplace or someplace else where someone is offering them cheap, illegal cigarettes, their purchasing

those cigarettes does have an impact on their community, has an impact on their neighbours and may have an impact on many of the public services they've come to trust and rely upon.

**Mr John C. Cleary (Cornwall):** On a point of order, Mr Speaker: I think we should have a quorum here. This is a very important issue.

**The Acting Speaker:** On a point of order, the member for Cornwall has asked for a quorum call. Could the table check, please.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**The Acting Speaker:** A quorum is now present. Do we have further participants in the debate? The honourable member for Cornwall.

**Mr Cleary:** It's my pleasure to participate in this debate. Since early 1992, I have contacted the Solicitor General's office to demand action on the smuggling and the safety of our area residents. Many times the answer was that it was a federal problem.

It is interesting that the Tory caucus is now championing the public safety of our residents, especially since the Hansard officers and many members of the Legislature heard a member of their caucus make an offensive remark about citizens' safety last week due to gunfire and high-speed boats. I was surprised that the leader would bring forward this motion highlighting the economic and safety plights of our area and ask the NDP government to take a real and immediate action within its jurisdiction to end smuggling activities. Nevertheless, I am pleased that the Tories have finally come on side and realized that the situation needs action.

The government must make an effort with the federal government and law enforcement agencies, which have recently formed a task force to consider ways of maximizing their resources. And no wonder. I recently noted a report that revealed the average family in Canada pays \$23,000, or 40% of its income, in various taxes at all levels of government. Quite simply, this erodes consumer spending. And while this figure seems startlingly high, it also revealed that an additional \$5 billion in taxable sources were unpaid in 1993. This includes working under the table.

Obviously this activity is a direct response to the relentless increase in taxation, whether it be the GST, corporate tax, retail sales tax and of course the NDP's latest round, including personal income tax, surtax, automobile insurance, even aggregate materials. However, true to form, it's a vicious circle and is clearly impacting on government revenues. I know our small corner businesses are really suffering, because they tell me they are unable to sell any cigarettes in our area.

Before I offer my suggestions, I would like to share



with members some of the incidents that have taken place in our area and caused residents a great deal of concern.

A provincial police officer chasing a well-known smuggler on to the frozen waters of the river, after being surrounded by others in that business, had to retreat after losing a finger.

In June of last year, Lancaster OPP started a marine watch program to curb the rising rate of crime along the river, which has jumped 260% over the past two years. Theft of boats and motors has led to increased education about securing properties and installing motion detectors in the marinas in the area.

Also in June, a student boasted to local media that he made more money in six months than his teacher made in one year, causing many area residents to call for military intervention into the area.

In July, an unidentified gunman fired gunshots from a boat on the river in the middle of the day, narrowly missing two boys fishing near the bike path in Cornwall.

An area resident confronted by five thieves attempting to steal property from a waterfront home fired a small-calibre gun, giving one of them a surface wound. The owner has subsequently been charged with a firearm offence but received a good deal of public support for standing up to the smugglers and the violence that comes with it.

In August, a 36-year-old Quebec man was shot with a high-speed-powered rifle in a smuggling-related incident. He was apparently involved in the exchange of gunfire and was dumped on a nearby dock in Charlottenburgh township.

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Also in August, the coast guard volunteer search and rescue team announced that night patrols on the St Lawrence River would be cancelled until safety is restored in the area, leaving fishermen and hunters without any emergency rescue team in the event that they run into trouble. These sportsmen all contribute to the provincial coffers through their licensing system and through the provincial gas tax.

Media from all over North America have branded the Cornwall area "smugglers' alley."

Smugglers ran out of gas on the St Lawrence River near Lancaster, stopping at an island cottage and demanding gas from the cottage owners. Two gallons of gas was given to the smugglers; in return they gave them \$50 and the owner of the cottage said they had enough money to choke a horse, and a boatload of cigarettes.

On August 26, gunfire became so constant that the cottagers left at 5 am. When they returned next day they found a bullet-riddled boat and a big dog standing on their wharf. I spoke to this particular family on the

weekend. They still remain afraid and will not return to their cottage, and may never return until this situation is in hand.

In early September, police estimate that 10 to 20 rounds of ammunition were fired at an east-end Cornwall home in drive-by shootings, which also took place in the Eamers Corners area. Thankfully, no one was hurt.

Many residents do not live at their cottages. Many of them tell me that they take a weapon to bed with them for their protection. Stories of police seizures of cigarettes on land are not uncommon. One such chase took place in the city at very high speeds, eventually turning up \$200,000 worth of illegal cigarettes. However, Sergeant Jean Bourassa of the RCMP recently said that the police are only catching 5% of what passes through.

Cornwall civic complex was sprayed with bullets after midnight last month, frightening restaurant staff in the centre at the time. Rumours are circulating from Domtar employees that bullets have hit the Domtar property at the same time. Gunfire is also reported at 2nd Street West east of the Robert Saunders generating station. Residents of Akwesasne have complained that they hear gunshots 24 hours a day. Shots were fired into a woman's house at 4:30 am, piercing windows and pictures on the wall.

I've also been told that the picnic tables in Charlottenburgh park are being used by smugglers as launching pads for their boats. This is one of the parks that was closed by the St Lawrence Parks Commission. The township of Charlottenburgh and Reeve Dave MacDonald have been trying to get an agreement with this government and the parks commission for years—some kind of lease agreement. They have been to Toronto many times, meeting with then-minister Peter North and others. They tried to meet with Premier Bob Rae in Kingston last week, but no luck.

Unless an agreement is worked out shortly, the parks will be closed another year. How can we get this message through?

Efforts: Since early 1992 the Liberal caucus has tried to raise the government's awareness. I've written dozens of letters and have stood here in my place 10 times, hoping that the government would recognize the fact that this is not just a local problem.

The federal and provincial governments lost \$1.6 billion in revenue last year due to smuggling of cigarettes and will probably lose \$2 billion this year.

That is not even alcohol-related. However, more important in the short term is the safety of our residents. The safety must be addressed by all jurisdictions, just as enforcement must be shared, joint and united.

This should not be a partisan issue. All members of the assembly must agree that the key issue is safety and we must all work to restore that in eastern Ontario.

I have repeatedly called on the Solicitor General to meet with me and local enforcement officers in the Cornwall area so that he could get a firsthand view of the seriousness of the smuggling, but he refused.

The united counties council of SD&G, 20 local municipalities in eastern Ontario, passed a resolution calling for immediate action. I was very pleased that the minister finally was able to meet with us, although not in Cornwall, and the key players to hammer out some kind of mutual agreement on how best to confront the issue. A joint task force worked out the details on an action plan, and that could not come too soon for the residents of my area.

As a result of the September 23 meeting in Ottawa a number of suggestions were made for both levels of government. Some of the suggestions that come from our elected officials:

Reeve Dave MacDonald of the township of Charlottenburgh said that taxation is the root cause of contraband cigarettes. Reeve MacDonald knows that a large amount of the smuggling takes place in his municipality. He has said that since taxes make up approximately 50% of the actual cost of a package of cigarettes, this illegal trade is promoting a market for illegal cigarettes.

The underground economy is flourishing and the NDP government's latest hit on people's pocketbooks is not helping. For example, the Minister of Finance's last budget tax increases on personal income tax, surtax, auto insurance and aggregate materials are all causing customers to seek better deals on everything, especially cigarettes.

Reeve Charlie Sangster has said that the Lancaster detachment of the OPP being closed in the early hours was part of the problem. Reeve Sangster also said that he is not very hopeful that swift action would be taken by either the federal or the provincial government. The Solicitor General and the OPP have now opened that detachment 24 hours a day, which I believe is a step in the right direction, but no extra police officers or funding have been allocated.

Reeve Ron MacDonell of Lochiel township, former warden of the united counties and former OPP officer, has questioned the ability of the Lancaster detachment to function with inadequate resources.

Both federal and provincial jurisdictions must take appropriate action. Residents of my area, police and municipal politicians have suggested a number of ways to respond to the smuggling at the federal level:

—Reduce federal taxes on cigarettes, which would remove incentive for smugglers.

—Increase Revenue Canada's anti-smuggling units.

—Beef up GST and income tax reviews.

—Allow the RCMP greater resources and weaponry to be able to respond to smugglers. Two RCMP boats are not enough. They are very concerned about the

possibility that many drugs are slipping through daily when they're concentrating on cigarettes.

—Move the physical location of the Canada Customs office inland. This would stop smugglers' goods bypassing the customs office.

—That the courts review the Charter of Rights section pertaining to reasonable and probable grounds for police to search vehicles. As it stands now, an officer has to actually see contraband cigarettes in the vehicle before he or she can search it.

—Consider incarceration for anyone leading high-speed and dangerous pursuits, which threaten the lives of police and innocent bystanders.

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On the provincial scene, residents, police and municipal politicians have also made recommendations for the province to consider:

—That the Ontario government increase the number of tobacco inspectors by allowing OPP officers to temporarily perform this duty, since the current mandate does not specifically target smugglers.

—Reeve Dave MacDonald has called for a reduction in provincial taxes so that smuggling is no longer profitable and so that the retailers can sell what they are there to sell. Reeve MacDonald has also called for an all-out effort to enforce the Customs Act and catch smugglers in their tracks. He knows because many of this smuggling is happening in his municipality.

There are great concerns about the number of smuggled cigarettes that are being sold and distributed in our schools.

The Liberal Party is pushing for an all-party committee of the Legislature to examine the size of the problem and the root causes and to offer real solutions to this problem. The Tories like to say that their task force late this summer was the way to hear people. Well, I have to say that we don't need another partisan task force for the people to come forward.

For over two years my office has been getting letters and telephone calls from constituents wishing to remain anonymous—I feel that's what my office is there for—not to mention the fact that a lot of people don't want to identify themselves before a committee. They have preferred to use the telephone or to tell me about their concerns, and I hope they continue to do so.

I am glad that the Tories are now on board this anti-smuggling ship and I look forward to hearing some positive recommendations to address smuggling in eastern Ontario.

Action must be taken by all jurisdictions in the area. I would like to tell the Solicitor General that he has my full cooperation, and I look forward to meeting with him again in my riding. I hope that we would be supporting the motion before us.

**Mr Robert W. Runciman (Leeds-Grenville):** At



the outset, I want to say that I was somewhat disappointed in the comments from the member for Cornwall. He attacked the Progressive Conservative Party, apparently for sponsoring this special opposition day debate on this important question. Then, later on in his remarks, he said this is clearly a non-partisan issue, quite a contradiction in respect to us raising this issue and giving all members in this Legislature an opportunity to have input on the matter, rather than simply—I assume he wanted it confined to himself as the representative from that area. I think that's unfortunate. It is indeed a non-partisan issue and all of us should have an opportunity to participate and not only express concern but hopefully provide some suggestions, some alternatives to what is occurring now.

Since the member got a little partisan in respect to this whole issue about dealing with policing, I want to say that I don't feel the Liberals have a very strong case to make in respect to support for police officers, men and women, in this province. We simply have to go back to their days in government. Their attitude was not much different from the current NDP government in respect to those kinds of issues.

I recall two Metro Toronto officers being very critical of a slap-on-the-hand penalty awarded to two drug dealers by a provincial judge in this jurisdiction. The Metro officers expressed concern about the revolving-door approach of the justice system. What did the Attorney General of the day, one Ian Scott, do but very severely take those Metro police officers to task for having the unmitigated gall to be critical of this system whereby drug dealers were arrested after intensive investigation by Metro officers and then turned out on to the streets the very next day by the judicial system in the province.

They were simply expressing the frustration of themselves and certainly a broad section of the public in this province, and the Liberal Attorney General of the day drew and quartered those police officers who were doing their best on behalf of Ontario residents. So when they try to get on their soapbox about these kinds of issues, they have a tough time justifying their views.

I want to say that this is certainly a difficult situation. One element, of course, we want to talk about is policing and the enforcement questions. We want to talk about taxation. But an element that I want to talk about briefly that is a factor in this difficult matter is the state of the economy in that part of eastern Ontario. Reference has been made earlier, certainly by our leader, Mike Harris, in question period, about this government's approach to eastern Ontario. I think that's most strongly indicated in what has happened in the Cornwall area.

Cornwall has been undergoing significant difficulties. I guess it's fair to say that they've been battered by the economy in the past number of years. Unemployment is over 20% in the Cornwall area. I think the figure is

something like 13 plants closed down in the last year. I could be wrong, but it's a significant number of industries, some of them long-term industries like Courtaulds, which has been there it seems like for ever, providing what many Cornwall residents felt generation after generation were good, safe, well-paying jobs in the Cornwall area. Those plants have been closing. The economy is battered: as I said, 22% unemployment and almost 40% of the residents receiving some kind of government assistance. That's a difficult situation.

As a result, I think that has helped to create the situation that currently exists in respect to the significant increases we've seen in smuggling of not only cigarettes but alcoholic beverages, and prior to the change in the dollar, significant other cross-border shopping problems that were certainly a significant concern to Cornwall merchants and merchants throughout eastern Ontario.

Smuggling has always been a bit of a problem, I guess. I am a guy who grew up on the St Lawrence River, coming from the city of Brockville and spending a lot of time on the river. It's been probably a normal thing for most river rats, if you will, to buy the occasional case of beer or what have you and bring them across the border. But now of course we're seeing significant volumes, and the bulk of it coming through the Akwesasne area.

Again, this touches on another problem, and that's the attitude of the inhabitants of the reservation, a couple of reservations. We've seen public statements by certainly the Mohawks that they very much rely on this kind of revenue. They are very clearly concerned about the focus of attention not only by politicians but by media and others in respect to what has occurred in the last couple of months. From what I've read, there's an effort to try and—

**Mr Ron Eddy (Brant-Haldimand):** On a point of order, Mr Speaker: I ask for a quorum call.

**The Acting Speaker:** Could the Clerk check if we do have a quorum.

**Clerk Assistant and Clerk of Committees:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**The Acting Speaker:** A quorum is now present. The honourable member for Leeds-Grenville may resume his participation in the debate.

**Mr Runciman:** I was talking about the attitude and approach of the Mohawks in respect to this issue. They are obviously concerned about the negative press and what's happening in respect to some of the concerns about rifles being fired on the river and some of the incidents that have been mentioned by other members in this House. I think we're clearly seeing a significant change in that, and there's cooperation perhaps occurring in respect to the various parties involved in the

smuggling operations to try to eliminate these kinds of incidents that draw public and police and political attention to what's occurring in the Cornwall area. That makes it not simply an issue respecting violence, but then it gets the violence out of the equation and it becomes primarily an issue of tax policy, in essence.

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I want to get back to the Cornwall situation and the severe economic concerns of residents in that area and, I'm sure, the mayor, the members of council and a host of others. There has to be more emphasis by this government, by this Legislature, on trying to revitalize the economy in eastern Ontario, specifically a hard-hit economy like that of the city of Cornwall.

We've seen a task force established to deal with the smuggling problem. Well, smuggling is a symptom of a host of problems: taxation, of course, but also the dire state of the economy in the city of Cornwall and in many parts of eastern Ontario. I'm not being critical of the establishment of this task force involving federal, municipal and provincial officials, but I think it's an even greater priority that a task force, a special commission, whatever you want to term it, take a look at what is indeed a crisis situation, in my view, in the city of Cornwall in terms of unemployment and the number of people receiving social assistance, in terms of turning around that economy and attracting new jobs to that part of the province. That's what we have to do. If we can't do that, we're going to have extreme difficulty addressing this problem of people getting involved in this kind of activity.

Despite the NDP member for Oxford chastising people who purchase these cigarettes, when you're talking about the difference between \$25 a carton versus \$50 a carton, you're talking about tax increases that have put a burden on virtually every taxpayer in this province, killing an awful lot of businesses, large and small. People feel they have some justification. This is a way of getting at this tax-grabbing government—our governments, both federal and provincial.

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** The federal government too.

**Mr Runciman:** I agree: the federal government as well. There is that feeling out there, and it's very widespread. A lot of honest, law-abiding people feel very comfortable purchasing these kinds of products. When you take a look at the taxes that have increased on cigarettes and alcohol products over the past number of years, there's very little justification for doing so other than a desperate need of governments at senior levels for increased revenues based on the continuing level of expenditures that they are very reluctant to deal with.

I want to make the primary thrust of my comments today an appeal to the government, to members of this Legislature, to address the very serious economic

problems facing not only the city of Cornwall but—and I'm sure, Mr Speaker, you will confirm this—significant areas in eastern Ontario.

I had a federal study done a number of years ago looking at poverty levels. In terms of people living under the poverty level, the highest percentages were in eastern Ontario, rural areas outside of Cornwall, some of the areas that you represent, Mr Speaker, some of the areas the member for Renfrew North represents, surrounding Cornwall and even in Cornwall. These are the people living under the poverty line, and we have to start dealing with those kinds of situations; otherwise, we're not going to be able to address this very significant problem.

What can we do from a policing perspective? We can make additional efforts at the provincial level, but I'm not sure they're going to have a great deal of impact. We certainly can't start, I don't believe, confronting residents of the reservation on the river. I don't think that's a role of the provincial government or the provincial police, and I'm not sure that anyone at this stage of the game wants to deal with that sort of confrontation and the implications.

We just simply have to reflect back on Oka. We have to reflect simply on the attitude of the Mohawks, for example, who believe this is quite appropriate. They rely very heavily on this revenue. They're putting some of these dollars towards secondary education. You simply have to go over to the reservation and they can point to all sorts of initiatives which they can attribute to some degree to revenues flowing from this kind of, as they see it, legitimate business. In some respects, they believe they have a legal right, under historic agreements, to transport tax-free cigarettes between the two countries. They will make that argument. So there's a considerable reluctance.

What can we do? I think that we can certainly increase police patrols. We can do more in terms of roadblocks of trucking coming off the Cornwall bridge. We can do roadblocks in terms of all kinds of trucking going along Highway 2, along that whole corridor of the St Lawrence River. Those kinds of things can be done: increased OPP patrols, increased use of roadblocks and inspections of truck vehicles. We've seen some significant catches, but they're just a drop in the bucket, primarily along Highway 401. There have been a couple in my area. Some of them have been accidental in terms of stopping trucks for other matters and finding they're carrying a significant load of contraband. So those kinds of things we can be doing, we should be doing.

The whole question of the Lancaster detachment operating 24 hours a day is certainly one that was justified being raised in this House. It draws attention to the whole concern about the adequacy of policing right throughout this province in terms of the OPP.

I raised a contradiction that's occurring currently, and



I suspect it's occurring right across the province, where detachments are carrying out studies, at the direction of OPP headquarters, in terms of looking at what kinds of regional detachments, area detachments and village detachments can be closed or amalgamated in an effort to reduce OPP policing costs. That is a major concern of mine. That study is being conducted right now, when we know, especially in rural areas of Ontario, that there's increasing concern among residents about the lack of adequate coverage of police forces in a broad range of areas.

What are we doing at this point? What is this government doing through the OPP? Looking at further reductions. I think that is wrongheaded. At the same time, and we found this out through a memo related to the social contract, the government is looking at bringing in assessments on municipalities that currently do not pay for OPP policing. We had originally heard rumours that they're looking at doing this in municipalities that exceeded populations of 5,000, but they're looking at everybody who receives this so-called free policing.

What might happen as a result of that study, if indeed they do come in with these kinds of assessments, is that we're going to see, and I've already experienced this, small municipalities, for example, looking to municipalities that have established police forces as an option, as an alternative to the OPP. It may be cost-effective for them to, for example, purchase their policing from a municipality rather than purchasing it from the province. This is a real possibility.

So while the province is in the midst of doing this kind of study, which could result in a significant reduction in their coverage needs, at the same time they are looking at the reduction and closure of detachments throughout the province. It just doesn't make any sense. One hand's doing something and the other hand doesn't know what's going on. These two studies are in conflict, and I've urged the Solicitor General to get his act together. Let's take a look at what they're going to do in respect to these kinds of additional levies against municipalities before they make any reductions in police coverage across this province.

I want to tell you right now that this party, the Progressive Conservative Party, is going to fight tooth and nail against any closure of OPP detachments in this province, any reduction of police coverage. You just have to look at what's happening in this province, and a tough economy is part of it: increasing crime, increasing violent crime. We look at what happened in Barrie the other day, with three people murdered in their own home. We look at what happened in Peterborough. In my own community, in Brockville, we had a 79-year-old woman bound and gagged and her throat slit, we understand. In any event, she was murdered.

Those kinds of things are occurring in small-town, small-city Ontario now. Everyone used to say, "That

only happens in the United States," or, "It only happens in the big cities." It's starting to happen in rural Ontario, small-town Ontario, and for us to look at reducing police coverage, reducing the number of police officers out there on a 24-hour basis, covering communities in an adequate fashion like they've done for many, many years in this province—it's one of the things we felt confident about—to consider doing that is simply, in my view—now, this is not a pun—criminal, and we're going to fight it in the Progressive Conservative caucus tooth and nail.

1630

In summation, I want to say that there are some things we can do at the provincial level and we urge the government to get involved and we'll press it to do that. There are some things the federal government can do, like reinstituting the federal levy on exported cigarettes. We think that should be looked at again. But again, I implore all members to take a look at the state of the economy in eastern Ontario. Let's get a task force working on restoring the economy and the vitality of the economy in eastern Ontario.

**The Acting Speaker:** Further debate, the honourable Minister of Environment and Energy.

**Hon Mr Wildman:** And the minister responsible for native affairs, Mr Speaker.

I rise in this debate because I have for many, many months, and years, for that matter, taken this matter very seriously and have raised it on a number of occasions with chiefs of first nations, with aboriginal leaders, and with municipal leaders and federal government officials as well.

Smuggling of cigarettes in particular, but also contraband liquor, is increasing. My friend from Cornwall is fully aware of this and I was happy to participate with him, along with his federal colleagues and my colleague the Solicitor General, recently at the meeting he arranged in Ottawa to deal with this, along with municipal officials and policing officials and customs representatives.

This is not just a problem in Cornwall or in eastern Ontario, however; this is a problem right across Canada. It's a problem in British Columbia, it's a problem in New Brunswick, it's a problem wherever we are on the border and where there is easy access to the purchase of Canadian-manufactured cigarettes that are supposedly for sale in the United States market but which are really being purchased for transportation back into the Canadian market. There is no question that Akwesasne is a major source, but it is a problem elsewhere. It's a problem in Six Nations in Ontario, it's a problem in New Brunswick and it is a problem in British Columbia, as I mentioned, as well, and certainly a problem in some parts of Quebec. But Akwesasne is a major source.

I rise to discuss this because I am particularly con-

cerned about the potential for a demoralizing effect on the community, both native and non-native. It was suggested by my friend from Leeds-Grenville that this is not a situation where we should be talking about the purchasers of the cigarettes specifically because, after all, cigarette taxes are such that this is really a tax revolt, a way of getting back at federal and provincial governments for the taxes they levy on cigarettes.

I think that's true, but I disagree with his view that somehow we should accept that, because I'm particularly concerned about the young people, some of the young people in Cornwall, for instance, who might be getting involved in the purchase and sale of such cigarettes, because if an individual finds that he or she can make an enormous amount of money in a very short period of time through selling contraband cigarettes because of the market that is created by high taxation, it may not be too great a step to then move on to other types of contraband and to become involved in the purchase and resale of contraband liquor or other types of abuse substances, such as illicit drugs.

**Mr Stockwell:** Hash leads to heroin.

**Hon Mr Wildman:** I don't believe in the domino theory, but I'm just saying that if an individual makes a great deal of money in a very short period of time selling contraband, I suspect that, for many of them, one type of contraband is not too much different from another.

My particular concern is the way some people have characterized this issue. This is not a native issue and it is certainly not an Akwesasne issue alone. It's been suggested in this debate that the Mohawks view the purchase of cigarettes in the United States and the transportation across the Canadian border in a way different than many non-natives. Well, we all understand that the history of the community of Akwesasne or the Iroquois Confederacy is quite different from the history of the non-native community of Cornwall and eastern Ontario, along the border to Buffalo and St Catharines and so on into southwestern Ontario. But in my discussions with Grand Chief Mike Mitchell of the Mohawk council he has made it very clear that in view of the agreements that his forefathers made with my forefathers, they indeed have the right to purchase cigarettes in the United States and to bring them to the Canadian side of the Akwesasne reserve. That is not illegal, in my view or in his.

What is illegal is when those cigarettes then leave the reserve and go to Cornwall for sale in the community of Cornwall or into Ottawa or to Montreal. That then is, in the view of Grand Chief Mike Mitchell, illegal.

I want to point out that he has been raising this, along with my friend from Cornwall, for many years with the federal government, with very little effect. The federal government viewed this, I think unfortunately, for many years as simply a small loss in tax revenue

rather than a criminal activity that should be dealt with as a criminal activity.

The fact is that 90%, it's estimated, of the cigarettes that are manufactured legally in Canada for export into the United States are purchased in the US and smuggled back into Canada, and everybody knows it. The cigarette manufacturers know it, and I'm sure that legitimate manufacturers of cigarettes, a legal product, would not want to be even indirectly involved in an illicit trade. But if everybody understands that's what most of the cigarettes that are exported into the United States are destined to become, illicit sales in Canada, then surely the manufacturers, as well as both levels of government, must come together to determine how we prevent that.

It was suggested some months ago that there should be an export tax levied on Canadian cigarettes destined for the American market. The federal government suggested it would do that. But as soon as they did, it's my understanding that the Canadian cigarette manufacturers lobbied vociferously in Ottawa against this measure. If these legitimate manufacturers, leaders of the Canadian business establishment, believe that they are carrying on a legitimate business, then why would they oppose a measure that is designed to prevent or to make more difficult the illicit trade in cigarettes back into Canada? Why would they do that?

The fact is, if the profit margin could be cut substantially, there would be very little reason to get involved in this trade. But when the profit margin is going to be cut, then the manufacturer says: "Hey, wait a minute. That's going to cut our business, perhaps. That's going to cut our market for cigarettes that we're manufacturing for export into the United States." If they believe that an export tax is going to harm them, then I wonder whether they're really serious about wanting to stop this illicit trade.

The fact is, this is not, as I said, an aboriginal issue. There is evidence that there are elements of organized crime involved in this trade, that indeed they are not only operating with illicit cigarettes but other products of contraband as well. Once we get organized crime involved in a community like Akwesasne or Cornwall, then the enormous profits they can make from this trade will be rechannelled into other businesses, legitimate business and so on, and we will get an influence in the community that none of us wants.

1640

**Mr Stockwell:** Like casinos.

**Hon Mr Wildman:** Well, one can look at the history of the gambling situation on the US side of the Akwesasne reserve and understand that this is a serious, difficult problem. Moving from casinos perhaps into cigarettes is not one way of dealing with the problems in these communities.

As my friend the member for Leeds-Grenville said, this problem feeds on the economic problems of



Cornwall and eastern Ontario. There's no question about that. If one looks at the serious economic problems of non-native communities in that part of our province, just multiply them about 10 times to determine what the problems are in aboriginal communities, where we have on average 80% unemployment. Isn't it interesting that the federal government's Statistics Canada does not include aboriginal people in our unemployment figures? Isn't that interesting? If they did, our unemployment figures would be even higher in this country today. But they have never been included. Why? Perhaps because they don't matter as much in the view of those who collect statistics at Statistics Canada.

In my view, all levels of government must cooperate in dealing with this very serious problem, and there isn't only one way of dealing with it. Just dealing with the taxation issue is not going to resolve it. Just approaching it as a policing issue is not going to resolve it. There must be the political will at all levels of government to deal with smuggling for what it is: not a tax revolt, but an illegal activity that is illegal for the person who sells but also illegal for the person who purchases.

I call on the federal government to consider seriously reinstituting what it proposed before, and that was an export tax on Canadian-manufactured cigarettes destined for the US market. We must not allow this situation to deteriorate even further, where people will be afraid of coming out at night along the St Lawrence River, where people can flout the law or where other people might be tempted to take the law into their own hands. To the extent that governments have allowed this situation to deteriorate to the point it has so far leaves all governments with the ethical responsibility to take an active role in finding solutions.

This is not a case of non-native governments knowing what's best for a community like Akwesasne and imposing some kind of new order on a community which is very difficult to govern, considering that its geography covers two different provinces and one state.

**Mr Murray J. Elston (Bruce):** No, it's all one for natives; it's all one.

**Hon Mr Wildman:** Yes, it is one Mohawk territory that crosses a number of our borders. That makes it very, very difficult for any law enforcement official, including the Mohawk police, to deal with this issue.

Rather, this is a case of governments taking responsibility for a situation they have helped to bring about. I believe that non-native governments must place a high priority on resolving this issue and taking the responsible means in terms of legislation and policing, administrative and tax measures that will help to resolve this and take the enormous profits out of this illicit trade.

Again, I thank the members for their attention and I want to congratulate those who brought this matter before the House.

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased to join the debate, first to congratulate my colleague from Cornwall. I think an objective analysis of Hansard will demonstrate that he's been raising this issue for a long while, and I thought in a statesmanlike way, if I might compliment him, certainly for our caucus and I think for the Legislature; doing it in a responsible way and crying out for assistance from the government for his community. Again, I compliment him for that.

I want to put this in a slightly broader context, because I happen to think this is almost a metaphor, a specific, major example of a broader issue. That doesn't mean we don't have to deal specifically with the situation in Cornwall and come to the assistance of that community to help deal with the issue, but if you look at what's now being called the underground economy, we all need to recognize that it is substantial, it's growing and it's a major issue for the people of Ontario.

The solutions to dealing with it, I accept, will not be easy, but I have taken a fair bit of interest in the issue of the underground economy and trying to get the Legislature to deal with it in a fairly comprehensive way. If I might put in a plug for a proposal the Liberal caucus has for the Legislature, the Conservative Party has already agreed and I would hope that the members from the NDP would agree to have an all-party legislative committee, the standing committee on finance and economic affairs, look at the whole issue of the underground economy in a broad way to determine how large the problem is—and I think all of us are finding that it is bigger than we would have thought a year ago, bigger perhaps than most people estimate—what the root causes of it are, and what some of the solutions are that we can look at.

The solutions, in my opinion, are not going to be simple bromides. They're not going to be simply hiring more tax auditors, hiring more police and going after those who are participating in the underground economy. If we think that is the solution, we never will get at the root cause.

I'll give you a few examples. I've raised this before in the Legislature with the Minister of Finance and he was a little touchy about it, but I make the point only to illustrate.

The NDP government has taken taxes up \$4 billion in the last three years. If you look at the last three budgets, taxes have gone up, in total, \$4 billion. But what's happened to actual tax revenue? In other words, it was the expectation that the tax increases would yield an increase of about \$4 billion in tax revenue, but if you look at the actual numbers, tax revenue has declined by almost \$3 billion over the last four years. The point I'm making here is that you often hear people say that maybe there is some point at which increasing taxes actually becomes counterproductive, that by increasing

taxes you actually reduce your revenue coming in.

I'm not saying that's what's happened, but I think we in the Legislature need to examine the facts. The tax increases were supposed to yield an incremental \$4 billion in the last three years. If anyone looks at the revenue that's come in from taxes, revenues actually dropped by, as I say, almost \$3 billion. Something's happening out there that is representing an impact on our tax revenue.

We've seen several studies now. One was from the Greater Toronto Home Builders' Association. They estimate that almost half of all the home renovation activity that goes on now is done on what they would call the black market, by individuals who are not collecting the taxes on it. That's up dramatically from 1990. It was about a quarter of the renovations that they would estimate would have been done; it's now almost half.

1650

The study by a reputable accounting firm that deals in audits of what's going on in the tobacco market suggests that now one in six cigarettes actually sold in Canada—and I suspect it could be at least that high in Ontario—is sold illegally. They're cigarettes that have come to the province from outside Canada for contraband sales.

**Mr Stockwell:** One in six?

**Mr Phillips:** One in six. The recent story in Maclean's indicated that tax evasion may now be costing all levels of government almost \$30 billion a year. So I don't think there's any doubt that we're dealing with a major issue here that is growing.

I would urge the members of the NDP caucus to support the proposal we have that will come up this Thursday to a legislative committee to allow us to take a good look at it. The reason I raise this is because there are some who seem reluctant to talk about the problem. There are some who seem reluctant to raise the issue because there's a belief by some out there that if you talk about the underground economy, more people will participate in it. As a matter of fact, one of the senior people from the Ministry of Finance did, I thought, a good study on the underground economy and published it. It's worthwhile reading it.

But when Maclean's interviewed that individual, he indicated, in response to the Maclean's interview, "I hesitate to talk about this subject because the data show that the more people become aware that other people cheat, the more they cheat." That's precisely the issue. I gather from his comments that there must be some study out there that demonstrates that to be the case.

I think we would make a mistake to not get it out, talk about it, have people who understand the problem come before us and try to identify what are the root causes. I know that of many of the people who have

corresponded with me, because I've asked for support from the public to help us to get on with this study, many of the groups and individuals who have corresponded with me on the issue have indicated that they see it as a significant and growing problem and they're worried. They're worried.

I think we've had some discussion this afternoon about how many people now are buying contraband cigarettes. It's become today's equivalent almost of buying wholesale. We can say: "That's wrong. You're buying illegal cigarettes." We can say: "You shouldn't do that. You're breaking the law." All of us understand that, but people are suffering out there. People are struggling, and they find that they can buy it substantially cheaper, and they do it. I just say to us, I don't think having more police and more auditors will solve that problem.

As I say, in trying to come to grips with the broader issue of the underground economy and trying to get at some of the root causes, I would hope all of us, all three parties, would agree this Thursday to have the finance and economics committee look at it. I might say I'm not naïve enough to think that one committee, operating on a fairly short time frame and obviously with fairly limited resources, is going to solve it all. But it will be the beginning, I believe, of us understanding how big the problem is and what we have to do to deal with it.

I might also say that many of the people who corresponded with me said that the solution is to reduce taxes. I think we're going to have to look at the types of taxes we have on things and what they are doing to the economy. One of the members opposite hollered out, "It's the GST." As a matter of fact, there is some evidence by some of the people who have studied this that after the GST came in, the underground economy did seem to grow, that that was for some perhaps the straw that broke the camel's back. Perhaps another 7%—public, there on all things—was the thing that drove them underground. As I said, there is some evidence from those people who study this that it might have been one of the significant things that pushed the underground economy substantially ahead.

But just to go back to the point I made earlier, there is no doubt that the revenues for government are suffering. I happen to think it's the result of three things. The economy is weaker than had been predicted. I think most people felt that in 1993 the economy was going to turn around; we'd see real growth well above 3%. It's now clear in Ontario that we're going to see real growth well below 3%, so that's contributing to revenue softness. I think there's not much doubt in my mind that a long period of low inflation is impacting on revenue. But there's no doubt that the underground economy and the growth of it is significantly impacting on the revenue of all governments, and as I say, we don't begin to tackle in its broadest sense.



The problem is that those people out there who are going about paying their taxes and dealing fairly in every case begin to feel that they are not only paying for the increased taxes but that they are subsidizing those who aren't paying their fair share. As I say, I'd like us to deal specifically with the Cornwall issue and to be looking at solutions, but I'd also like us as a Legislature to begin to tackle the broader issue.

Turning to the Cornwall situation, it is unacceptable, I think, for all of us who live in Ontario to see a situation where people literally are afraid for their life, afraid for their safety. That simply can't be allowed to go on. We can't allow the residents of Cornwall to feel that they are not being legitimately protected. So while we try and deal with the macro issue of taxation and smuggling of cigarettes and all of those things, surely we can all agree here that there is a need to ensure the safety of the people in that area.

If I might say, at the risk of perhaps getting the NDP barracking here a bit, something I've spoken on here in the Legislature several times before is the Rae government using the Ontario Provincial Police to investigate leaks of information that come to the opposition and having scarce provincial police resources going after those leaks. My colleague from Bruce, as we say here, Mr Speaker, I recall vividly accidentally got a very harmless document in an envelope one day. It was a Ministry of Finance briefing note to the NDP caucus, a harmless document that arrived on his desk. What happened? The Rae government called in the police to investigate why that happened. That, to me, is a dangerous step, and I can't understand why the NDP back bench doesn't rise up and say: "We cannot use the police to try and silence our political opposition. It's wrong." I raise that because I would hope that there would be a few members of the NDP back bench who would recognize what a dangerous step that is.

Down to working with the community in the Cornwall area, as a minimum I would hope that the government would take the necessary steps to fulfil my colleague the member for Cornwall's demand that they be given the necessary support to ensure their safety while the government moves to try and deal with this issue in the much broader context of how we reduce taxes on it, how we deal with those issues. But as a minimum, surely they deserve the necessary police support for their safety and their health.

I'm pleased to be speaking on this issue and pleased to look forward to the government's response in dealing with what is a very serious issue for the residents of the Cornwall area.

1700

**Mr Noble Villeneuve (S-D-G & East Grenville):**

I too feel it's a privilege to rise today in my place and address a problem that's been ongoing for quite some time. I want, at the outset, to pay some homage to my

colleague the member for Cornwall, who has been attempting to get a lot of the people's attention. He did get a little bit political in his particular presentation, and I guess maybe that's part of being here. However, he has been working hard, as I have been, in attempting to solve a problem that's been growing since about 1987 when all of a sudden governments at Queen's Park and in Ottawa started to increase quite considerably the taxes on cigarettes.

Here in this Legislature it was only two or three cents a cigarette, a pretty foxy way of increasing taxes. But I tell you, the smugglers who worked in smugglers' alley between Cornwall and Lancaster were wringing their hands in glee and they could hear the cash registers clanging as the governments at both the federal and the provincial levels increased taxes on cigarettes. It was their way to the bank with lots of very substantial deposits.

I'll read you a couple of excerpts from a study that was done for the Ontario Flue-Cured Tobacco Growers' Marketing Board, and it's a forensic investigative accountant, Lindquist Avey Macdonald Baskerville, that did it. Here on page 21 it states in part: "For instance, in 1984, fine-cut tobacco for export and duty-free sales accounted for only 0.2% of the total fine-cut tobacco market. By 1989, its share of the market had risen to 2.2%, before soaring to 27.5% in 1991." That is for export. So, quite obviously, when we know what the population is in Akwesasne and we get the records of the amounts of cartons of cigarettes that go to that particular spot, we are faced with the very unreal situation that these people, on a per-capita basis, are smoking between five and eight cartons of cigarettes every day, and it doesn't make a lot of sense.

Smuggling began in earnest in 1990. Intimidation on the water began in earnest in 1990, somewhat casually, but then progressed to the point where it is now very dangerous to use the waterways, whether for pleasure craft, for fishing or anything. Remember that it's pretty well solidly built from Cornwall through Glenwater, through Summerstown on through to Lancaster, along the north shore of Lake St Francis, some of the finest waterfront facilities that you'll find anywhere in Ontario or even in Canada.

Indeed, we have gunfire every night. For the last two years we've had gunfire. As a matter of fact, the night that the Mike Harris task force was in Cornwall, ironically enough, the Cornwall civic complex is kitty-corner across from the courthouse where the task force was holding hearings and was shot up quite extensively by high-powered rifles. That very same night, at the Mike Harris task force, we heard a number of people make presentations to the effect that after dark, at dusk, many people have seen very high-powered boats with machine guns mounted on the front, belted ammunition, and this has become a regular occurrence; people are

being intimidated, buildings are being shot at. My colleague from Cornwall and I won't go back over the many incidents that he alluded to, but these are major problems that we would never expect to be happening, of all places, in the province of Ontario, and this is what we have.

But the root of the problem is this: Without taxes, and Akwesasne is a native reservation without taxes, a carton of cigarettes costs about \$14.40, the cost to the people who then move into the smuggling area. I've heard people tell me that they've purchased a carton of cigarettes for between \$20 and \$24. At your corner store, or wherever cigarettes are being retailed legally, the cost per carton is between \$45 and \$48. There is room enough there for profit for a very lucrative business.

Stated again in the report is that the Akwesasne-St Regis reservation is the principal point of entry in Ontario for smuggled tobacco products. According to the police, there are as many as 12 highly organized rings operating from the reservation. It is also suggested that Mohawk warriors were supplying Asian-Canadians from Toronto with both Canadian and American brand offerings.

The most troubling aspect of tobacco smuggling is the enormous profits which are being made and in part being invested into automatic weapons, such as AK-47 assault rifles etc. This is what we're faced with, and it's a very scary situation.

Inspector Henry Kennedy of the RCMP, who was at the Mike Harris task force hearings in Cornwall, has strongly suggested to everyone who intends to or who buys smuggled cigarettes on a regular basis that they are contributing in a very major way to supporting organized crime, and I don't think there is any doubt about that, and not only organized crime, but making sure that the pipeline is in place for items such as cigarettes, liquor, drugs, jewellery etc, all of your high-taxed commodities that would be moving in this pipeline, which is now well entrenched and well in place.

We've had people who came to the Mike Harris task force in Cornwall suggest that we should bring in the navy and the army and show them who has the most fire-power. That certainly is not a recommendation from the Mike Harris task force. We are recommending, however, presence on Lake St Francis, a very high-profile presence, not with a small 20-foot pleasure boat but with boats that have sufficient size, capacity and power to keep up with or even overtake some of the very intimidating smugglers, who are very, very bold. They now feel that they own Lake St Francis, which is an absolutely terrible situation.

I ask the Solicitor General, the police cruisers that they have patrolling the highways and byways of the province of Ontario are not four-cylinder compact cars at all. They are regular-size vehicles with good, power-

ful engines. Well, that's what we need, both by the OPP and the RCMP, to patrol Lake St Francis in what's known as smugglers' alley.

I'm not asking to go and have confrontations. I think the only way we will avoid and reduce the kind of smuggling that has occurred is by very much reducing the taxes on cigarettes. As was mentioned by a previous speaker, the point of diminishing return, and I have statistics to prove it, was reached in 1988-89 when the taxes went up with a Liberal administration by 35.3% and the revenue went up by 17.4%. The message became very clear then: We have gone to the well once too many times.

#### 1710

In 1988-89, the actual increase of revenue was 2.7% under no tax increase. In 1990-91, we had a 26.6% increase in tobacco taxes and a 13.6% increase in return, again a very much diminishing situation: Increase the taxes by 26%, get an increase in income of some 13%. In 1991-92, this government increased taxes by 34%; revenue came up by 17%. Total dollars were up a little bit, but in 1992-93 the total dollars were down under no increase in taxes.

The point of diminishing return on taxation on tobacco product was reached in 1988. The government, at both levels, federally and provincially, must address this rather insane taxation.

If they want to get rid of cigarettes, make them illegal. But if they're going to be legal, for goodness sake, let the people who want to use them have them affordable. I hear sometimes from people who say that the increase in taxes reduces the use. I'm sorry. It reduces the legal use; it does not reduce the use. As was mentioned earlier, we have more illegal cigarettes being sold in high schools now than we have over the last 10 years. They're cheap, they're there, and the suppliers have a good supply.

I go back to policing on Lake St Francis. There are many, many stories, very scary stories from residents along the shores. As my colleague from Cornwall mentioned, some people who use cottages throughout the summer saw fit to not go into their cottages and enjoy what was a tremendously warm and good summer, simply because of the intimidation that has been occurring on an ongoing basis.

There is a strong recommendation that the RCMP, the OPP and all jurisdictions be present on the lake at least now and for the end of the navigational season; present on the lake with equipment that is adequate to at least show the intimidators, the smugglers, that the police force has not given up, because to this point the OPP has made the statement that it will not patrol the lake after dark. I don't blame them.

My colleague mentioned the fact that one Long Sault-based OPP officer last February was savagely attacked by a group of balaclava-wearing smugglers. He had a



tire wrench aimed at his head. This gentleman is about six foot four, not a small man by any means; a very muscular man. He'd been in the police force a number of years. Had he not protected himself with his hands, the tire wrench would have got him on the head. He did lose a finger, a permanent injury. He's back at work now. This is what's happening out on Lake St Francis, a very terrible situation.

One of the government members was talking about jurisdiction. Well, I remember well that during 1985, 1986 and 1987, when I represented Charlottenburgh township, a great controversy occurred that there were illegal boathouses along Lake St Francis. The government, with all its wisdom, and the Ministry of Natural Resources said, "We have the authority." They went in, took down the boathouses and said, "This is our jurisdiction." It must have been their jurisdiction, because they were able to remove the so-called illegal boathouses.

That tells me that indeed the province of Ontario has jurisdiction on Lake St Francis, certainly in that area that is not considered navigable water. Yes, it is an international body of water; yes, the RCMP and the federal government do have jurisdiction there, and they should all work together under this task force to make sure that everyone carries their weight and indeed makes Lake St Francis and the area surrounding it safe once again as it was some seven or eight years ago.

Smugglers, as I mentioned before, are not a new phenomenon to the area. As a matter of fact, it's legal; however, the taxes on gasoline bring many of our residents over to Akwesasne. It was interesting to listen to the Minister of Environment and Energy and minister responsible for native affairs. I've had occasion at another time to work with the people from Akwesasne. They do not consider themselves Americans or Canadians. They are North Americans and therefore consider themselves as not subject to any of the laws in either the United States or Canada. This is a phenomenon that must be addressed. We must impose a tax, at the manufacturer's level, on export product to curb this very lucrative smuggling business that is occurring in part of the area that I very proudly represent.

I have one of my colleagues who wants a few moments of time at the end of this debate. I strongly suggest that when the Mike Harris task force recommendations come out, both the federal and provincial governments look at them, because they will be positive and non-political.

**Mrs Irene Mathysen (Middlesex):** I'm certainly pleased to be participating in today's opposition day debate. I'd like to focus upon that part of the motion by the leader of the third party that deals with taxes.

It's rather interesting if you examine closely the rhetoric of this motion. It's an important issue—the safety of the citizens of Cornwall is at stake here—yet

Mr Harris chose to turn this into a partisan exercise in regard to our government's tax policies, as if the collection of taxes in this province only began in September 1990. He seems oblivious to 42 years of Tory tax tyranny.

I'd like to remind the leader of the third party about Conservative tax measures, both provincial and federal.

Does he recall that in 1981 the provincial Conservatives increased personal income taxes by four points, and every three months, from 1979 until 1985, provincial Tories raised taxes on gasoline, cigarettes and diesel fuel with their value added tax? Surely he should be reminded of the federal Tory GST. According to Catherine Swift, the chief economist for the Canadian Federation of Independent Business, as she said on CBC Radio, "We've seen the underground economy grow like wildfire since the imposition of the GST, and for people in government to deny that is just outright dishonesty, because there's no question it's happening."

I'd like to review for the members of this assembly the approach taken by the current Minister of Finance in his most recent budget. The tax increases implemented by this government were designed in a way that shares the tax burden fairly. Our tax measures are based on ability to pay.

For example, the Minister of Finance introduced a corporate minimum tax to ensure that large, profitable corporations pay their fair share. Over a full tax year, that amounts to \$100 million. It's a fair tax when you consider all the benefits that corporations receive from Ontario, like a healthy, educated workforce, a strong resource base, a comparatively clean, safe environment and a well-maintained infrastructure. The taxpayers of Ontario have financed these benefits and the corporate sector has prospered as a result. It's time that large, profitable businesses paid their way in this province, and it's fair. I'm surprised that former Liberal and Tory governments didn't think of this kind of fair taxation policy. Well, perhaps I'm not really surprised. To Liberals and Tories "fair" is just another nasty, four-letter word. So the Minister of Finance has taxed huge, profitable corporations. How on earth has this contributed to crime? Well, it hasn't.

1720

I'd also like to remind members that in this particular business tax, small businesses are exempted in recognition of the current fiscal realities, because it's the small businesses in this province that create jobs and because this government is committed to an Ontario corporate tax system that supports economic renewal.

I'd also like to point out that in the 1993 budget, the Minister of Finance reduced taxes to small businesses. I'm surprised that there was no mention of that in the resolution we're debating here today and no mention of the elimination of the commercial concentration tax introduced by the Liberals. I believe that's why we call

them Liberals: They're Liberals when it comes to creating and raising taxes and liberal in their profligate spending. Do you know that in five years of Liberal government there were over 30 tax increases or new taxes? This revenue grab came at a time when Ontario government revenues were at an all-time high. What do you suppose happened to all that money? Even after you discount the lucrative SkyDome contracts for Liberal friends and the \$15-billion Darlington disaster, there must have been something left. And remember the Liberal tire tax? This NDP government eliminated that tax too.

We've seen the end of the commercial concentration tax because it was unfairly applied and created difficulties for downtown businesses, and the end of the tire tax because, in addition to being a nuisance tax, it removed the responsibility for product stewardship from the tire industry and dumped it on retailers and consumers. It's essential that we reduce our waste and recycle our resources. To that end, this Ontario government is committed to \$11 million in support for tire recycling and the Minister of Environment and Energy is taking steps to ensure that the tire industry takes on a larger role and contributes its fair share.

Another place where taxes were raised in 1993 was on the corporate tax deduction for meals and entertainment. This deduction was reduced from 80% to 50%; 50% was considered a reasonable split between income spent for business purposes and personal consumption. The full-year revenue from this tax change will be \$15 million.

Others who are required to pay additional tax are those Ontarians in the top 10% of income earners. They will pay more in personal income tax and surtax this year because they have the most to contribute. This is called progressive taxation, because while taxing the top 10% of Ontario income earners, the Minister of Finance has eliminated Ontario income tax for 200,000 Ontarians in the lowest income brackets and reduced income tax for an additional 70,000. Ontario's marginal tax rate remained the third-lowest for 90% of Ontario taxpayers who are below the surtax range. Imagine that. What a concept: requiring those who can best afford it to pay the higher taxes.

I'd like to return to the motion before us. The leader of the third party indicates that Ontario taxes have led to an increase in smuggling in the region between Ontario, Quebec, New York and native jurisdictions, yet if you look at the 1992 and 1993 budgets you will see that this government did not increase tobacco tax and alcohol levies. We carefully weighed the fiscal needs of government against the impact on industry, cross-border shopping, increased crime and smuggling and decided not to increase these charges. What's more, the government of Ontario is also taking steps to better enforce existing taxes and non-tax revenues. Those who evade

payment of sales tax or take part in tobacco smuggling will be subject to a maximum two years of imprisonment. Compare that to the action of federal Tories, who introduced a federal excise tax on cigarettes and then promptly dropped it.

Last week we heard from the grand chief of Akwesasne that such a federal tax would help to manage the smuggling problems in the area. In fact, the chief pleaded with the Tory Revenue minister in 1989 to introduce and enforce such a tax. Unfortunately, when the federal Tories finally did introduce the tax, they caved in at the first hint of industry pressure.

Finally, Mr Speaker, I'd like to remind you and all members that in NDP Ontario, the approach to fiscal management is a balanced one. The 1993 Ontario budget identified a three-part approach to managing the fiscal challenge and controlling the deficit. The largest component of that plan was a reduction of government spending. We initiated a \$4-billion saving by expenditure control. For every \$1 of new taxes, we saved almost \$4 in reduced costs by reforming the way government does business to ensure that we have better, more efficient government. For the first time since 1942, the operating spending actually declined, with the biggest single area of savings being \$720 million that came from the government's own spending.

What do Ontarians get for their tax dollars? In addition to the most accessible health care system in the world and a high level of education and training, Ontarians have the benefits of roads, public transit, sewers, clean water, police, firefighters, public libraries, community economic development programs and a quality of life second to none in the world. Do you know that Ontarians have more after-tax disposable income than do residents of any other province or territory in Canada? You can be sure that this government is dedicated to maintaining that we have prudent management and fair and equitable taxation policies.

**Mr Sean G. Conway (Renfrew North):** I am pleased to join in the debate this afternoon. This issue that has been raised today by the leader of the third party is certainly one that has been raised on a number of occasions by my colleague the member for Cornwall, as he is the member who finds himself in the firing line, as it were, for this particular part of—

**Mr Villeneuve:** Up to your old tricks, smoking cigarettes.

**Mr Conway:** The member asks me about my little package. I brought it along today to simply tell the viewing audience out there what it probably already knows. I'm not a smoker. I always find it amazing that people are willing to pay as much as they are for these materials. I raise it because in the 18 years now that I've been a member of the Legislature, and therefore have lived in Toronto for three or four or five days of most weeks over that period of years, I've been struck



in the last 6 to 12 months by a remarkable development that is all about us here in this part of Ontario and, quite frankly, in much of the rest of the province. You can now go to a restaurant, a bar, within a very, very short walk of this legislative precinct and have someone walk up to you and just offer you a range of contraband cigarettes.

**Mr Drummond White (Durham Centre):** Are you advertising, Sean?

**Mr Conway:** Well, I am advertising this, I say to the member for Durham Centre: the remarkable availability now of contraband materials, particularly cigarettes.

In my part of eastern Ontario, I live about two and a half hours north of the Canadian-American border at Massena, and most people I represent now tell me that it is becoming commonplace for people to offer for sale contraband materials, particularly cigarettes, though I hear that illegal liquor is becoming more prevalent as well.

We're faced as a Legislature with what to do. I am not one who argues that we ought to lower taxes on tobacco, and I say that as one who has accepted the argument that has been advanced by all governments in this province in the last 10 or 15 years; namely, that since tobacco kills and costs the health care system vast amounts of money, we ought to apply a tax policy that recognizes that awful reality. I want to say very clearly that I do not endorse a position which would see a reduction in the levels of taxation which attach to tobacco.

1730

In a question to the Treasurer back in August, I raised this issue. He responded by suggesting that perhaps I was arguing for a reduction in the levels of taxation, something I was not advocating in the question but which seemed to attract a lot of interest from the anti-smoking lobby around the province. I want to take this opportunity this afternoon just to indicate that it's not my view or the view of my party that we should lower the levels of taxation.

However, I do say, as a practical matter, that we have to look at the behaviour of people in 1993 with respect to tobacco. It is now becoming a very, very accepted practice, from Scarborough to Schreiber and from Timmins to Thorold, to buy and to smoke illegal cigarettes. My colleagues from Cornwall and Scarborough-Agincourt and others in other caucuses have this afternoon placed before you, Mr Speaker, the cost to the public treasury of this remarkable increase in contraband. In fact, federal police authorities suggest that in the Cornwall area, 50,000 of these cartons are entering the country illegally on a daily basis; 50,000 cartons a day at Cornwall alone.

As has been mentioned quite effectively by previous speakers, this has raised a number of issues, not the

least of which is the revenue issue, but even more important, I think, is the question of public security and public safety. I have a number of friends who live in the Cornwall-Charlottenburgh area, and they, like the member for Cornwall, have reported to me the most extraordinary behaviour on particularly Lake St Francis after sunset on almost a nightly basis for the last number of months.

The 5th Estate program that aired about two weeks ago made plain just how open is the illegal behaviour now. I think, as someone who is duly elected to this place and who does believe in the rule of law, that we have a problem—not just the government, but all of us—when we get to a point, as was made very plain from that television program of 10 days ago, when the law is so flagrantly and so continually ignored. That gets to the core, it seems to me, of the way in which we operate as a civilized society.

Where I would take issue, I suppose, with the previous speaker from Middlesex is that she makes the point about the government's attitude around taxation, and I think we all have to accept our share of responsibility; I certainly am quite prepared to accept mine, and I say again that I'm not here arguing that the tobacco taxes should be lowered. But I think we have reached a point in this society, Neil Brooks notwithstanding, that taxes are seen now in a different light than they were just three or four years ago. I suppose that's not a surprise, simply because so many people are either out of work or underemployed. We all know, and I agree with every other speaker who said, "But surely you understand all of the good things those tax dollars bring," and I do, I do. I understand the importance of health care spending and education and training, but something has happened.

I noticed in today's Toronto Star a lead story by Shawn McCarthy, "Leaders Feel Heat as Voters Rage at Taxes." Now, we all know that, particularly in any national election campaign, the Toronto Star can be counted on to be unfailingly neutral and very, very even-handed. It is not at all given to polemical partisanship.

**Hon Howard Hampton (Minister of Natural Resources):** Where have you been?

**Mr Conway:** I've been reading some of the papers in Rainy River, to be frank, and I have never seen a cabinet minister write a letter to his home press like the Minister of Natural Resources wrote two weeks ago to that editor, wherever he/she was. Wow, was Howard having a bad day. If you haven't read it, it is something. It's like something I would do on a bad, bad, bad day.

**Mr W. Donald Cousens (Markham):** But you wouldn't mail it.

**Mr Conway:** I probably would mail it. But I'll tell you, if you don't think Howard Hampton has a fuse, you read that letter and you'll understand what Dartmouth hockey players learned a long time ago.

My point in raising the question of taxes is simply to say that we're all finding, for whatever reason, a growing resistance around all levels of taxation. People really don't care any more. There's just a sense that the burden is too great and the suffocation that attaches to it just almost unbearable. I'm not saying that it's necessarily borne out by the data, because the Star article today is interesting. It talks about where we stand relative to the Americans and the French and the Germans, and that's undoubtedly all true, but my sense as a politician is that something has happened in recent times.

I can remember—I don't know who on the other side was with me; I know my friend Sterling was there—that we had a reference about two years ago where the finance committee was down in southeastern Ontario doing hearings around some aspect of the budget. We had some submissions around cross-border shopping. It was very interesting who some of the most active American shoppers were; which Canadians, by group and by category, were leaving places like Cornwall and Brockville and Kingston and going to the United States. Wow, was that a very interesting bit of testimony.

**Hon Allan Pilkey (Minister without Portfolio in Municipal Affairs):** MPPs from the area.

**Mr Conway:** Well, some would argue that those of us with non-taxed expense allowances have already got a leg up on this business.

**Hon Mr Pilkey:** That should be cut.

**Mr Conway:** Maybe it should. But the point I'm trying to make on a slow Tuesday afternoon is simply that there has to be a recognition that there is a resistance now around tax burdens.

**Mr Len Wood (Cochrane North):** Get rid of the GST.

**Mr Conway:** My friend says, "Get rid of the GST." A certain party that I know is committed to doing just that. We will all wait with great interest to see what happens. I don't particularly like taxation, but I understand, as someone once said, that taxes are the price you pay for living in a civilized society.

The difficulty we face now is that we are operating in a slow-growth, no-growth economy, so as we increase the tax levels, the yields are not producing what they've always produced. My friend Phillips from Scarborough-Agincourt was telling me the other day that we've raised taxes, just in the last couple of years, by something in the neighbourhood of \$3 billion or \$4 billion but that the overall yield is down. I think that tells us that we're dealing in an economy that is anaemic. I heard this morning, while I was at another appointment, that department store revenues were down this year over last by 6%. That's a very telling indicator of what's going on in the retail sector. We all know that one of our principal sources of revenue as a province is the retail sales tax.

I want to make the point that as politicians we have to take stock of what is going on around us, what is going on around us in places like Cornwall and Lancaster, and here in Metro and up in northwestern Ontario. I know, from talking to people in the Sault Ste Marie area, for example, that there is a certain level of activity there that's caused some concern. There is a problem. It is getting worse, not better.

1740

I think we are going to have to look at a number of features. One of them clearly has to be better enforcement. I mean, if you watch W5, it was almost an encouragement to come and break the law, because you could do it with apparent impunity. So I think we're going to have to deal, both as a province and as a federal government, with improved enforcement.

I don't know whether my friend from Cornwall has managed to tell the story today about the customs house. Did you get into that, John? That again is the stuff of a comic opera, and I expect that the Solicitor General for Ontario, together with the Solicitor General of Canada, will start to take steps to solve some of the more blatant violations and some of the most flagrant opportunities for law-breaking.

I'm not a police officer, but if you were, almost in a RIDE-check kind of way, to move in enforcement along smugglers' alley and start running checks on a very intensive basis, I suspect you would change behaviour, because there would be a very real expectation that enforcement was much more real and much more meaningful.

I don't for a moment suggest that it is entirely an enforcement problem, though I think in terms of the here and now there is no question that we have got to allocate additional resources to our police forces, both provincial and national, and to pay for those, I presume, out of the lost revenues that we are seeing going down the drain every day. If the police are right and 50,000 of these cartons are crossing at Cornwall on a daily basis, that is a loss at that one place on a daily basis of about \$650,000 worth of tobacco tax revenue to the province of Ontario alone. That, it seems to me, would help pay for some substantial increases in enforcement around those locations. But I think as well all of us are going to have to take a very hard look at the way in which we tax people right across the board, including income taxes and other such items.

**Hon David Christopherson (Solicitor General):** I'm pleased to join in this discussion. Although I was not in the House for much of the debate, I did manage to catch some of the discussion from my office, and I've had my staff, who have been listening very attentively, advise me of the points that have been raised. I must say that with the exception of a few partisan shots here and there, by and large I think the discussion has been very constructive and has dealt with a number of



the issues that face not only the community of Cornwall but indeed the entire nation on the issue of smuggling and the underground economy.

In particular I would like to thank, on the government side of the discussion, the honourable member for Oxford, the parliamentary assistant to the Minister of Finance, Kimble Sutherland, who talked about taxation and the importance of public safety around this issue and the role of my ministry in that regard; also, the honourable minister responsible for native affairs, Bud Wildman, the member for Algoma, who talked about the fact that this is not a native issue per se, that this is an issue that affects many Canadians as well as many Americans and is much broader than any one focused, particular aspect that one might like to place on this.

I might add that in my discussions—and I'll comment on them further in my remarks—the federal minister, my counterpart, the Minister of Public Security, has reiterated both publicly and privately that it's important Canadians understand that this is indeed not just an issue in Cornwall, that this is not a native issue, that in fact it's not even an Ontario issue alone; this is indeed a national issue.

Also, of course, I want to thank the honourable member for Middlesex, the parliamentary assistant to the Minister of Environment and Energy, Irene Mathysen, who also spoke about the taxation issues and about government priority-setting and what revenue impacts and lack thereof can have on certain initiatives and priorities that a government sets.

All of that, I think, contributes to a relatively healthy debate on an important issue of our time. We need to be very, very clear as we approach this that at no time do we allow ourselves as Ontarians to believe that this is our problem and that we have to solve it alone. This is very much a national problem.

In my discussions with the federal Minister of Public Security on this issue he advised me that it was his intention, on reflecting on this point, to announce a national strategy. One of the purposes in taking that initiative was to speak clearly to the citizens of Ontario and the citizens of Canada on the fact that this is indeed a federal issue, that smuggling is their responsibility and that it is indeed an issue coast to coast—perhaps coast to coast to coast, but certainly coast to coast—and is not an Ontario issue alone. Indeed, it straddles the international border. As well as the US government, we have of course the New York state government. So there are many different jurisdictions.

That takes me to my next point, which is the initial response that this government had, as well as the local government and the federal government, when the issue started to become as serious as it has, requiring the kind of reaction and leadership that we're now seeing. With so many jurisdictions involved, there are so many questions on how we handle the overlapping jurisdic-

tions and how we as governments ensure that we're providing the adequate leadership that's necessary at the same time that we're not preventing the police from doing the job they're so professionally capable of doing.

It was the police who said: "Give us the opportunity to form a regional task force so that we can coordinate the kind of action plan and operational plan that we believe will do the job. Then we'll come back to you, each of the partners in this, and ask you for your contribution to the task force as a whole."

That is where we are today. We're at the point where the police are finalizing. I'm advised that they're at the very final stages of putting this plan together, and very shortly, hopefully we'll have a public discussion or a public announcement, a public commitment on exactly what is happening, to the extent of course that the police can talk about operational matters, which many times is not very detailed, but to at least give the assurance that indeed they have reached an agreement on the plan that's necessary, the resource question and whether or not those resource requests have been met by the different governments.

I want to also mention that given the importance of this issue, and locally, having met with the local delegation headed up by the member for Cornwall—I've been very quick to give him the credit that he is due in ensuring that his community had the opportunity to meet with me; I understand that the mayor met previously with the federal minister to discuss the same issues—at that meeting, one of the key issues that came back time and time again from a local concern and a need to have local action was the whole issue of the Lancaster detachment and the fact that it was not open 24 hours a day, and that the community leaders would see very much this government's commitment in action if they could see the hours of the Lancaster detachment open to 24.

I was pleased last week to advise the House that indeed the OPP commissioner, Commissioner O'Grady, had seen fit that this was an important move, that it was important that he respond to this concern that I conveyed to him from the meeting, and indeed the detachment announcement was made.

1750

I want to take a minute to point out that during the back and forth in question period on this issue there were some who tried to make political hay out of the fact that the operation was not open 24 hours a day. I use this opportunity to make very clear the fact that it is not and has not been unusual historically for decades for this type of operation to be opened and closed in that fashion, depending on the geography, depending on local needs, depending on the issue of deployment questions. I might point out that it was the previous government, as I best can determine, that was in office at the time the hours were cut back from 24 hours.

Now, I'm not saying that was a wrong decision, not for one moment, because this is done all the time. I merely point it out to show that there was nothing extraordinary about the fact that it was not open 24 hours a day. What was done during the previous government is done currently and was done with Tory governments. It's the way the OPP operates in this province, always has, and to some degree always will.

I think what's important, and most important, in all of this is that at the time of need in that community, the OPP were responsive and responded in a way that said to the community, "We care very much about you, about this issue, about public safety, and if the opening of that detachment is critically important to you, and it will be to us on an operational basis, then indeed we'll move on that." I think that's an important illustration of the commitment this government and the OPP are prepared to make to do their part in dealing with this important issue.

Also, along the way with this issue, having met of course with the delegation, with the community leaders, having met with OPP Commissioner O'Grady and spoken with him on a number of occasions about the important issues that were conveyed to me at the community leaders' meeting, I also, as I've indicated to you, had a chance to talk to Doug Lewis, the federal Minister of Public Security. Out of that meeting came not only his commitment that he would be announcing a national strategy to provide the federal leadership necessary, but also that he was committing to me that, like this government, he was going to do everything he could to ensure that the RCMP were given the resources they needed to do their part in the task force plan development. Of course, it being an RCMP-led task force, it was important for me to hear that, to convey the message back to my cabinet colleagues.

I want to say directly to the member for Cornwall, and there is a letter from my office coming his way, that the federal minister has agreed that he will be the one to convene the next meeting and that it will be with the Cornwall leadership. I have also committed to him, and I commit now to the member for Cornwall, that when that meeting is convened, I will be there to ensure that the provincial government and the responsibility we have vis-à-vis the OPP and other interests will be there. You have that commitment from me, Mr Cleary.

I can also say that I've talked to the mayor of Cornwall on a number of occasions, the latest of which was this morning. I have left an open invitation with him to call me at any time should he feel the need. We have spoken on a number of occasions. We've agreed that we will touch base on a regular basis even if it's just to ensure the lines of communication are open. Again, I say that he's pleased with the work to date. He's satisfied that the federal government and the provincial government have taken the initiatives and the

steps they should. The job is not done, but he is satisfied that we are committing ourselves in the way that we need to.

We now look to the federal government, quite frankly, to provide the RCMP leadership in the task force to bring that plan development to a conclusion, to announce and provide the steps necessary to see a national strategy and also to be the lead politician that calls the next meeting with the community to talk to it about what action has been taken and to ensure that the proper people are hearing the message that needs to be heard.

In closing, let me say to the members of this House and to the public that the apparent violence associated with the smuggling activities in the Cornwall area on the St Lawrence River are of appropriate concern for the OPP and for this government, as we have some direct responsibilities there. And although the smuggling issue is very much a federal responsibility, I believe this government has taken important steps, appropriate steps, in dealing with public safety in not dealing with just the issue of the violence that ensues from the smuggling, but rather we've been willing to play a role in the development of a task force and the development of an operational plan that will see all the police forces dealing with the broader smuggling question. I think, quite frankly, that goes above and beyond the call of duty that we could technically say is the responsibility of this government and the OPP, but it's important to the public safety of the people of Ontario and therefore it's important to this government.

**Mr Cousens:** I just can't accept too much of what the minister said or the government has had to say. The issue that we have presented to the House in this resolution is that the underground economy is now aboveground. It's no longer hidden from the public view. It is a major issue in this province. You have smuggling going on in eastern Ontario, but it's all over the place, and what we're seeing now is a legitimization of the illegitimate in Ontario. This government is failing to respond to the needs of those communities. This government doesn't even understand or accept the fact that the problem is as severe as it is.

Smuggling is rampant in eastern Ontario. It's no man's land in Lake St Francis. What we have to realize is that this economy, this illegal economy that we say is underground, pays no taxes. It's breaking the law flagrantly. It's hurting legitimate business. It's showing disrespect to law and order.

Our party has brought forward this resolution today in the sincere and earnest hope that this government would face up to this serious challenge we have, to start to do something to address the needs of all the people of the province of Ontario.

I have a response to a question I gave to the Minister of Finance, a question that says, "How large do you



think the underground economy really is?" I got the answer back. He says, well, it's been growing by 1% of the GDP since 1991, and around then it was about 5% to 8%. So maybe the underground economy to him represents 10%. The Fraser Institute says it represents something like 22% of the economy in the province of Ontario.

Come on. We have a problem in the province of Ontario, and you can't as a government continue to close your eyes to it. The reason for the resolution today is to wake you up to the fact. We cannot allow Ontario to be destroyed. We're saying to you as a government, give a respect to law and order. Give a respect to the needs of the people of the province. We cannot sit by idly and watch this happen.

Our leader, Mr Harris, in his speech today, said every member of this Legislature should look upon this as a problem that was happening in his or her own riding. Don't think it's away down in Cornwall. It's something that is pervasive in our society today, and we're calling upon the government to wake up to the fact that there is a very serious challenge. Do something about it, and allow the police to get in on the job. Arm them accordingly. Give them the resources. Give them the strength. Give them the encouragement so that we can have a strong, healthy Ontario again.

**The Speaker:** Mr Harris moved opposition day motion number 1, which stands in his name. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members; a five-minute bell.

*The division bells rang from 1759 to 1804.*

**The Speaker:** Mr Harris moved notice of opposition

day motion number 1 standing in his name. All those in favour of Mr Harris's motion will please rise one by one.

#### Ayes

Arnott, Beer, Cleary, Conway, Cousens, Curling, Daigeler, Eddy, Elston, Eves, Grandmaitre, Harris, Henderson, Jackson, Johnson (Don Mills), Mahoney, Marland, McClelland, McGuinty, McLean, Miclash, Morin, Murphy, O'Neil (Quinte), O'Neill (Ottawa-Rideau), Offer, Phillips (Scarborough-Agincourt), Poole, Runciman, Ruprecht, Sterling, Sullivan, Tilson, Turnbull, Villeneuve.

**The Speaker:** All those opposed to Mr Harris's motion will please rise one by one.

#### Nays

Abel, Akande, Allen, Bisson, Buchanan, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Duignan, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lankin, Laughren, Lessard;

Mackenzie, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Morrow, O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rae, Rizzo, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, Wessenger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Wiseman, Wood, Ziemba.

**The Speaker:** The ayes being 35 and the nays 63, I declare the motion lost.

It being beyond 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 1810.

**LEGISLATIVE ASSEMBLY OF ONTARIO  
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

**Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD**

**Speaker/Président: Hon/L'hon David Warner**

**Clerk/Greffier: Claude L. DesRosiers**

**Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries**

**Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller**

**Sergeant at Arms/Sergent d'armes: Thomas Stelling**

Constituency/Circonscription	Member/Député(e)	Party/Parti	Other responsibilities/Autres responsabilités
Algoma	<b>Wildman, Hon/L'hon Bud</b>	ND	Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones
Algoma-Manitoulin	Brown, Michael A.	L	
Beaches-Woodbine	<b>Lankin, Hon/L'hon Frances</b>	ND	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Brampton North/-Nord	McClelland, Carman	L	
Brampton South/-Sud	Callahan, Robert V.	L	
Brant-Haldimand	Eddy, Ron	L	
Brantford	<b>Ward, Hon/L'hon Brad</b>	ND	Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances
Bruce	Elston, Murray J.	L	
Burlington South/-Sud	Jackson, Cameron	PC	
Cambridge	<b>Farnan, Hon/L'hon Mike</b>	ND	Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation
Carleton	Sterling, Norman W.	PC	
Carleton East/-Est	Morin, Gilles E.	L	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président et Président du Comité plénier de l'Assemblée législative
Chatham-Kent	Hope, Randy R.	ND	
Cochrane North/-Nord	Wood, Len	ND	
Cochrane South/-Sud	Bisson, Gilles	ND	
Cornwall	Cleary, John C.	L	
Don Mills	Johnson, David	PC	
Dovercourt	<b>Silipo, Hon/L'hon Tony</b>	ND	Minister of Community and Social Services / ministre des Services sociaux et communautaires
Downsview	Perruzza, Anthony	ND	
Dufferin-Peel	Tilson, David	PC	
Durham Centre/-Centre	White, Drummond	ND	
Durham East/-Est	Mills, Gord	ND	
Durham West/-Ouest	Wiseman, Jim	ND	
Durham-York	O'Connor, Larry	ND	
Eglinton	Poole, Dianne	L	
Elgin	North, Peter	Ind	
Essex-Kent	Hayes, Pat	ND	
Essex South/-Sud	Vacant	L	
Etobicoke-Humber	Henderson, D. James	L	
Etobicoke-Lakeshore	<b>Grier, Hon/L'hon Ruth A.</b>	ND	Minister of Health / ministre de la Santé
Etobicoke-Rexdale	<b>Philip, Hon/L'hon Ed</b>	ND	Minister of Municipal Affairs / ministre des Affaires municipales
Etobicoke West/-Ouest	Stockwell, Chris	PC	
Fort William	McLeod, Lyn	L	Leader of the Opposition / chef de l'opposition
Fort York	Marchese, Rosario	ND	
Frontenac-Addington	<b>Wilson, Hon/L'hon Fred</b>	ND	Minister without Portfolio / ministre sans portefeuille
Grey-Owen Sound	Murdoch, Bill	PC	
Guelph	Fletcher, Derek	ND	
Halton Centre/-Centre	Sullivan, Barbara	L	
Halton North/-Nord	Duignan, Noel	ND	
Hamilton Centre/-Centre	<b>Christopherson, Hon/L'hon David</b>	ND	Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Hamilton East/-Est	<b>Mackenzie, Hon/L'hon Bob</b>	ND	Minister of Labour / ministre du Travail



Constituency/Circonscription	Member/Député(e)	Party/Parti	Other responsibilities/Autres responsabilités
Hamilton Mountain	<b>Charlton, Hon/L'hon Brian</b>	ND	Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et ministre délégué à l'Assurance-automobile
Hamilton West/-Ouest	<b>Allen, Hon/L'hon Richard</b>	ND	Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
Hastings-Peterborough	<b>Buchanan, Hon/L'hon Elmer</b>	ND	Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
High Park-Swansea	<b>Ziemba, Hon/L'hon Elaine</b>	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Huron	Klopp, Paul	ND	Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
Kenora	Miclash, Frank	L	
Kingston and The Islands / Kingston et Les Îles	Wilson, Gary	ND	
Kitchener	Ferguson, Will	Ind	
Kitchener-Wilmot	Cooper, Mike	ND	
Lake Nipigon/Lac-Nipigon	<b>Pouliot, Hon/L'hon Gilles</b>	ND	
Lambton	MacKinnon, Ellen	ND	Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
Lanark-Renfrew	Jordan, W. Leo	PC	
Lawrence	Cordiano, Joseph	L	
Leeds-Grenville	Runciman, Robert W.	PC	
Lincoln	Hansen, Ron	ND	
London Centre/-Centre	<b>Boyd, Hon/L'hon Marion</b>	ND	
London North/-Nord	Cunningham, Dianne	PC	
London South/-Sud	Winninger, David	ND	
Markham	Cousens, W. Donald	PC	
Middlesex	Mathysen, Irene	ND	
Mississauga East/-Est	Sola, John	Ind	Minister without Portfolio, Ministry of Culture, Tourism and Recreation; chief government whip / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs ; whip en chef du gouvernement
Mississauga North/-Nord	Offer, Steven	L	
Mississauga South/-Sud	Marland, Margaret	PC	
Mississauga West/-Ouest	Mahoney, Steven W.	L	
Muskoka-Georgian Bay	Waters, Daniel	ND	
Nepean	Daigeler, Hans	L	
Niagara Falls	Harrington, Margaret H.	ND	
Niagara South/-Sud	<b>Coppen, Hon/L'hon Shirley</b>	ND	
Nickel Belt	<b>Laughren, Hon/L'hon Floyd</b>	ND	
Nipissing	Harris, Michael	PC	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Norfolk	Jamison, Norm	ND	
Northumberland	Fawcett, Joan M.	L	
Oakville South/-Sud	Carr, Gary	PC	
Oakwood	Rizzo, Tony	ND	
Oriole	Caplan, Elinor	L	
Oshawa	<b>Pilkey, Hon/L'hon Allan</b>	ND	
Ottawa Centre/-Centre	<b>Gigantes, Hon/L'hon Evelyn</b>	ND	
Ottawa East/-Est	Grandmaître, Bernard C.	L	
Ottawa-Rideau	O'Neill, Yvonne	L	
Ottawa South/-Sud	McGuinty, Dalton J.P.	L	Minister of Housing / ministre du Logement
Ottawa West/-Ouest	Chiarelli, Robert	L	
Oxford	Sutherland, Kimble	ND	
Parkdale	Ruprecht, Tony	L	

Constituency/Circonscription	Member/Député(e)	Party/Parti	Other responsibilities/Autres responsabilités
Parry Sound	Eves, Ernie	PC	Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé
Perth	Haslam, Karen	ND	
Peterborough	Carter, Jenny	ND	
Port Arthur	<b>Wark-Martyn, Hon/L'hon Shelley</b>	ND	
Prescott and Russell / Prescott et Russell	Poirier, Jean	L	Minister of Natural Resources / ministre des Richesses naturelles
Prince Edward-Lennox-South Hastings/Prince Edward- Lennox-Hastings-Sud	Johnson, Paul R.	ND	
Quinte	O'Neil, Hugh P.	L	
Rainy River	<b>Hampton, Hon/L'hon Howard</b>	ND	
Renfrew North/-Nord	Conway, Sean G.	L	Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
Riverdale	<b>Churley, Hon/L'hon Marilyn</b>	ND	
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Noble	PC	Speaker / Président
St Andrew-St Patrick	Akande, Zanana	ND	
St Catharines	Bradley, James J.	L	
St Catharines-Brock	Haeck, Christel	ND	
St George-St David	Murphy, Tim	L	Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Sarnia	Huget, Bob	ND	
Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony	ND	
Scarborough-Agincourt	Phillips, Gerry	L	
Scarborough Centre/-Centre	Owens, Stephen	ND	Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main- d'oeuvre
Scarborough East/-Est	Frankford, Robert	ND	
Scarborough-Ellesmere	<b>Warner, Hon/L'hon David</b>	ND	
Scarborough North/-Nord	Curling, Alvin	L	
Scarborough West/-Ouest	<b>Swarbrick, Hon/L'hon Anne</b>	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
Simcoe Centre/-Centre	Wessenger, Paul	ND	
Simcoe East/-Est	McLean, Allan K.	PC	
Simcoe West/-Ouest	Wilson, Jim	PC	
Sudbury	Murdock, Sharon	ND	Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main- d'oeuvre
Sudbury East/-Est	<b>Martel, Hon/L'hon Shelley</b>	ND	
Timiskaming	Ramsay, David	L	
Victoria-Haliburton	Vacant		
Waterloo North/-Nord	Witmer, Elizabeth	PC	Premier, President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
Welland-Thorold	Kormos, Peter	ND	
Wellington	Arnott, Ted	PC	
Wentworth East/-Est	Morrow, Mark	ND	
Wentworth North/-Nord	Abel, Donald	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
Willowdale	Harnick, Charles	PC	
Wilson Heights	Kwinter, Monte	L	
Windsor-Riverside	<b>Cooke, Hon/L'hon David</b>	ND	
Windsor-Sandwich	Dadamo, George	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
Windsor-Walkerville	Lessard, Wayne	ND	
York Centre/-Centre	Sorbara, Gregory S.	L	
York East/-Est	Malkowski, Gary	ND	
York Mills	Turnbull, David	PC	Premier, President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
York North/-Nord	Beer, Charles	L	
York South/-Sud	<b>Rae, Hon/L'hon Bob</b>	ND	
Yorkview	Mammoliti, George	ND	











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## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 13 October 1993

# Journal des débats (Hansard)

Mercredi 13 octobre 1993



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers



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### **Listes des député(e)s**

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et dans le numéro du premier lundi de chaque mois. Par contre, une liste des circonscriptions inscrites dans un ordre alphabétique et comprenant les responsabilités ministérielles paraît tous les lundis suivants.



Wednesday 13 October 1993

The House met at 1332.

Prayers.

#### MEMBERS' STATEMENTS

##### TORONTO BLUE JAYS

**Mrs Elinor Caplan (Oriole):** I'm pleased and proud to stand in my place today and repeat remarks I made almost exactly one year ago. I would like to congratulate the world champion Toronto Blue Jays on their American League Championship pennant.

In true Blue Jays fashion, the Jays captured the American League Championship last night with a 6-3 victory in Chicago.

As soon as Devon White hit that home run in the top of the ninth inning, I knew we were going to the big show. Joe Carter reinforced my feelings, making it official as he made the final out in the bottom of the ninth. I know thousands of Blue Jays fans let out a huge sigh of relief as soon as Carter made that catch.

Toronto is a city of winners, and the Blue Jays have reinforced that once again.

Blue Jays fans are also true winners. Last night we saw people pour out on to Yonge Street to celebrate, not only without creating any problems but with enthusiasm, which is a tradition in this city.

I would say good luck to the Blue Jays. They now have a chance to repeat the World Series, a feat which has not been accomplished in over a decade: the winning of a second World Series. As we wish them good luck, no matter who they play, whether it's Philadelphia or Atlanta, we believe they're going to come out on top.

On behalf of my constituents in the riding of Oriole and the rest of the people of Ontario who are cheering the Blue Jays on to success, we know they're fantastic and we know they're going to try their very best to make it two in a row.

##### BUSINESS IN ONTARIO

**Mr Gary Carr (Oakville South):** Our Mike Harris task force on cutting red tape and growing small business has met with the Canadian Federation of Independent Business and the Urban Development Institute. Problems associated with government regulations and paper burden impact on all businesses, large and small, from all sectors in the economy. Governments should be sensitive to the fact that more regulations hit smaller firms first. Alongside taxes, government regulations and paper burden are viewed as a major barrier to entrepreneurship, new business growth and expansion. This means it negatively impacts on job creation and Ontario's competitiveness. This is especially concerning in light of the fact that over the past decade businesses with fewer than 50 employees account for 85% of the job creation in Ontario. During

the same period, small and medium-sized firms accounted for about one third of the total research and development expenditures in Canada.

Our task force has received many positive suggestions, and our party believes and realizes that regulatory relief will do more to free up entrepreneurial spirit and activity than any government make-work projects. I call on this government to lighten the regulatory load in a meaningful way.

##### JOBS ONTARIO COMMUNITY ACTION

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** I'd like to inform the House about something that is happening in my constituency and, incidentally, happening in many constituencies across the province. As you are aware, the government now has a new way of doing business in communities across the province, and that new way is called Jobs Ontario Community Action.

But I'm going to speak to you today not about the policy and reasons behind it, but to let the House know about the MPP challenge associated with this program. This is a non-partisan initiative on the part of MPPs. In Prince Edward-Lennox-South Hastings, I am planning to meet with community leaders and interested people to tell them about Jobs Ontario Community Action. I know that at least seven of my colleagues have already done this, and I would like to encourage all of the members of this House to get out into their communities and organize meetings.

There are a number of worthy ideas and projects in the riding of Prince Edward-Lennox-South Hastings. There are some items the community needs, and perhaps people have not been able to find the mechanism to find the private or public dollars to put it together. I'm sure every member of this House can think of something in their riding. As MPPs, we can help facilitate this process by bringing community leaders and groups together.

During constituency week, we will all be at home working in our communities, and during this time we can help by exchanging information with our constituents about how they can help their communities through Jobs Ontario Community Action. The MPP challenge is one way we can all reach out to groups of like-minded constituents who have an idea. This is an opportunity for all of us to play the role of providing political leadership in a non-partisan way as information providers. I encourage all MPPs to participate in the MPP challenge by organizing an information session during constituency week in November.

##### INTERNATIONAL PLOWING MATCH

**Mr Murray J. Elston (Bruce):** I'd like to bring the attention of the House to a very extraordinary event that

occurred in the riding of Bruce. In September last, we had the opportunity to host the International Plowing Match for 1993 and there had to be many firsts recognized in the presentation of this great agricultural exhibition to the public.

First, over 150,000 people paid attendance to see the sight and all of the events that were taking place there. That is a new record for attendance at a plowing match in Ontario. While there are a number of people who stand in place as being prominent in making it successful, Jack Cummings, who headed up the local committee, must be given a special round of applause. Indeed, so should Nellie Johnston, who was the first female mayor of the tented city and who acquitted herself quite well in this year's version, the 1993 effort.

There were several other firsts: the Machine in Motion display was an impressive modern-day exhibition of harvesting of crops, spurred on by a whole series of antique demonstrations, including Dan MacDonald's Clydesdales on the treadmill and others working the horsepower-driven thrashing machines. That caused many people to stop and spend more time at the match than otherwise would have been possible.

At the same time, we were happy to invite the Premier, and he attended and gave brief remarks at the opening ceremony, as did Kim Campbell. I think for all of us the most significant first was the fact that the leader of the third party, Mr Harris, actually was seen shaking hands and standing side by side with the federal Progressive Conservative leader, the Prime Minister of the country, Kim Campbell.

1340

#### RACE RELATIONS

**Mr Charles Harnick (Willowdale):** I rise today to bring to the attention of the Legislative Assembly a recent court order concerning the Heritage Front and its hate hotline. Federal Court Justice Marcel Joyal ordered that the ban on the hate messages contained within the organization's recruitment hotline had been broadened. Mr Justice Joyal ruled that the hotline contained "clear elements of racism" that "foment disruption, disunity and untoward fears."

The establishment of a hate hotline for recruitment purposes by the Heritage Front is an example of the extent to which white supremacists are willing to go in order to spread their vile message.

Hate activities present a very real threat to our society and its values. They undermine the dignity and self-worth of us all. People subjected to hatred because of race suffer fear, humiliation, and a loss of self-esteem. As legislators, we must do everything within our power to stop this form of persecution that is intolerable in a just and civilized society.

Tomorrow my private member's bill, an Act to Protect the Civil Rights of Persons in Ontario, will be called for second reading. This legislation provides the

victims of hate with the opportunity of having redress against those who, by fear and intimidation, would interfere with their basic freedoms.

I invite all members of the Legislative Assembly to work with me in the passage of this anti-hate legislation so that we can take a positive step forward in the fight against racism in Ontario.

#### GOOD NEIGHBOURS

**Mr Len Wood (Cochrane North):** As we know, this week is recognized and celebrated as Good Neighbours Week. The concept of Good Neighbours is to encourage ideas and responses that will help individuals to live independently in their own communities. Within the last two years, over 40 Ontario communities have launched campaigns to generate public awareness and promote this idea.

In the riding of Cochrane North, Kapuskasing is one community in particular which has taken the initiative to build on existing goodwill of individuals who volunteer their time to help others. These people are what we refer to as Good Neighbours, people who are concerned about the wellbeing of others. Good Neighbours reach out to help someone in a crisis, or to assist with simpler things, like running errands or visiting a neighbour who is isolated. Organized Good Neighbours programs could involve anything from workshops for renewing driving skills and crime-proofing homes to shovelling snow for seniors.

To live in a friendly and caring neighbourhood is an important part of the whole community spirit of Good Neighbours. There's certainly a role for all citizens in the achievement of this.

On behalf of the citizens of Kapuskasing I would like to thank those who have given of themselves to enhance the quality of life for others.

#### ECONOMIC POLICY

**Mr Hans Daigeler (Nepean):** Today is National Students' Day, but in NDP Ontario there is no reason to celebrate for our young people. In fact, Bob Rae is doing to the students what he accuses the federal government of doing to the province: He is shifting the province's debt load off his own books and on to the students of Ontario. He is mortgaging the future of our young people.

Last week, there was an ominous notice in the Financial Post. It said, "Ontario university students face huge increases in their debts almost a year after the provincial government abolished its student grant program...." More than 150,000 students have borrowed almost \$800 million in 1993-94 under the Ontario student assistance program.

This figure shows clearly that once again Bob Rae is shifting debt on to other people to make himself look good. We see the same pattern with Bill 17, the capital corporations act. This act will shift millions of expen-



ditures suddenly on to somebody else's books to make the province look good. It's a sad day indeed when the New Democratic Party is following the federal Tory lead: Let others pay so as to make yourself and your own books look good.

#### WASTE DISPOSAL

**Mr David Tilson (Dufferin-Peel):** The Minister of Environment and Energy announced last April that the 3R draft regulations affiliated with Bill 143 would become law in August. The new regulations will affect municipalities by requiring blue box recycling, leaf and yard waste composting and home composting programs for all municipalities with a population greater than 5,000. Large industrial, commercial and institutional waste generators will be required to institute annual waste audits, waste reduction work plans and recycling programs. This will include hospitals, schools and many businesses, all of whom have been hit hard by the government cuts to their transfer payments and higher taxes, courtesy of this government.

We are now two months past the announced deadline, with no indication from the minister when a decision will be made. The minister announced these regulations with great fanfare last April, saying they would provide jobs for Ontarians as well as moving the government closer to the 50% reduction target it has set for the province for the year 2000.

Municipalities and companies are waiting for the minister's announcements to make the regulations law before they go ahead with fulfilling the requirements. They would like to be assured there are no last-minute changes being planned and to receive clarification on some of the specifics of the 3R regulations.

In this economic climate, it is understandable that few municipalities and companies are moving ahead with these regulations without some indication from the Ministry of Environment and Energy that it does not intend to further modify the existing changes.

#### CASTLE KILBRIDE

**Mr Mike Cooper (Kitchener-Wilmot):** I rise today to inform the members of this Legislature about a group in my riding known as the Friends of Castle Kilbride, and their project.

Castle Kilbride was built in 1877 and was a showplace for the area. The stately home is Italianate in design and maintains many original features in its rooms even today. Castle Kilbride is a part of our heritage, and the people of Wilmot township and surrounding areas have shown a commitment to preserving that heritage.

After years of neglect, Mayor Lynn Meyers put into motion an ambitious plan for the town to purchase Castle Kilbride. Now, through joint efforts between individuals, community groups, business, industry and several layers of government, plans for the preservation, repair and restoration of the castle are under way.

Wilmot township receives funding through Jobs Ontario Community Action towards the restoration of Castle Kilbride. This project expands the castle's tourism potential as a major local attraction.

The township will also be relocating the municipal offices and council chambers to Castle Kilbride. Upon completion, the castle will be open to the public and will be available for meetings and special functions.

The Friends of Castle Kilbride have currently undertaken many creative and ambitious fund-raising ideas. The official launch took place on October 3 and was a success, with over 700 individuals in attendance.

You may be wondering who the Friends of Castle Kilbride are. They include everyone who shares a concern for an important historic treasure and is willing to work towards ensuring its future. The contribution and involvement of every person interested in saving and celebrating our heritage is encouraged. There cannot be too many Friends of Castle Kilbride, and we thank every one of you.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### INTERNATIONAL TRADE

##### COMMERCE INTERNATIONAL

**Hon Bob Rae (Premier):** Members on all sides of the House are aware of the efforts of this government and its partners in business, labour and communities to create jobs and put Ontario back to work.

One of the keys to economic renewal is trade. Ontario has a trading economy. Fully one third of the jobs in this province depend in some way on trade, and Ontario is a firm supporter of trade policies that promote economic renewal and job creation. That's why we're making great efforts to expand trade.

Last week, the Minister of Economic Development and Trade informed the House of work undertaken to develop Ontario's international strategy. For example, the minister spoke of the government's effective use of travel and telecommunications, the opening of an office of the Canadian Exporters' Association within the offices of the Ministry of Economic Development and Trade, and programs such as the Ontario Innovation and Productivity Service, which helps Ontario companies develop their international capabilities and export readiness. But in undertaking these efforts, we realize that most of the trade policy decisions that affect Ontario are made by the federal government. That is where our problems begin.

Le gouvernement fédéral a mis en place des accords commerciaux et des politiques économiques qui ont occasionné de grandes difficultés financières à notre province. Les membres de l'Assemblée ne savent que trop bien le prix que ces mesures ont coûté à la population ontarienne. Des dizaines de milliers d'emplois ont été perdus, littéralement, par suite de l'accord de libre-échange, de la taxe sur les produits et services et de la

politique monétaire rigide du gouvernement conservateur.

These policies, combined with the global economic downturn, have done serious damage to Ontario's economy. At the same time, the federal government has neglected its responsibility to put in place adequate adjustment programs to help people cope with lost jobs, permanent plant closures and a recession. The effects are still with us today.

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Now the federal government has rammed through another harmful trade deal, the North American free trade agreement, which will govern trade between Canada, the United States and Mexico. Our government opposes NAFTA because we believe it will only add to the harm done to Ontario by the original free trade agreement.

I would like to list some of the major flaws in NAFTA and the actions we will be taking to try to deal with them.

Ontarians have expressed concern about the effect that NAFTA will have on Canadians' control over water resources. Many environmentalists and trade experts dismiss the federal government's claim that Canada's water resources are not for sale. Therefore, this government will introduce legislation that will safeguard Ontario's water resources from NAFTA. The new legislation will control the transfer of water and will include an outright prohibition of large-scale transfers of water out of, into, or between Ontario's seven drainage basins. It will also bring small-scale water transfers under much more stringent regulation by the crown.

Our second and third actions concern energy supply.

The "energy proportionality" clause in the FTA and now NAFTA limits the ability of Canadians to restrict energy exports and to protect our energy security in times of shortage. It also guarantees the US access to Canadian energy supplies, undermining Ontario's energy security. This is compounded by the fact that Mexico avoided giving any similar commitment to energy-sharing in NAFTA. Mexico insisted upon and got a better deal than Canada.

Therefore, the Minister of Environment and Energy will contact his federal counterpart to demand National Energy Board hearings on the effects of the FTA and NAFTA on Ontario's security of energy supply. NEB hearings will highlight these problems and provide people with an opportunity to voice concerns on this issue.

In addition, the Minister of Environment and Energy will introduce shortly amendments to the Power Corporation Act to ensure that any electricity exports from Ontario will be allowed only after the needs of Ontario and other Canadian customers are met, despite the provisions of NAFTA.

Our fourth measure addresses a phenomenon called "social dumping," which Ontario considers to be another direct threat to jobs in Ontario. Poor labour laws, low wages, weak environmental standards and lax enforcement are means by which governments create an unfair advantage for their exports and undermine business and workers in Ontario.

Social dumping distorts trade and investment patterns. It is a form of competition that unfairly threatens jobs in Ontario. Businesses are tempted to locate where environmental and labour standards are lower, forcing workers in Ontario to compete for jobs against artificially low standards in other jurisdictions. The NAFTA side agreements on labour and the environment are so weak—so weak—that they do not effectively address these problems. However, Canadian trade law may possibly offer a means of combating the unfair competition that results from social dumping.

Le Canada est doté d'un système de protection contre la concurrence injuste résultant de l'octroi de subventions de la part de pays étrangers. Ce système est administré par Revenu Canada et le Tribunal canadien du commerce extérieur. Le «dumping social» est une forme de concurrence injuste. Une affaire de «dumping social», si l'on a gain de cause, pourrait mettre en lumière des pratiques injustes de la part de gouvernements étrangers, entraîner des sanctions substantielles et établir des moyens de faire face à ce problème.

Therefore, the government will work with partners in industry, labour and cooperatives, and offer financial support to present a social dumping complaint to Revenue Canada and the Canadian International Trade Tribunal.

Our fifth action deals with the fact that NAFTA restricts the use of performance requirements to promote economic development.

The Ontario green industry strategy is designed to support Ontario's suppliers in the growing field of environmental technologies, which is projected to be a \$500-billion-per-year worldwide market within a few years. Green industries are precisely the kind of high-growth and high-value-added enterprises that Ontario hopes will provide jobs in the future.

Ontario's green technology program currently uses selected performance requirements to ensure that the province and Ontario taxpayers benefit from spending under these programs; for example, by requiring that research and development supported by such programs is carried out in the province. Therefore, Ontario will increase its support of green environmental industries by introducing new performance requirements for domestic sourcing and technology transfers.

Finally, NAFTA represents a significant expansion of the free trade agreement in terms of its impact on the capacity of this government—indeed, of any government—to respond to legitimate aspirations of Ontarians.



It constrains the development of economic and social policy more than the free trade agreement. Ontarians told the Ontario cabinet committee on NAFTA that they fear this further erosion of provincial jurisdiction caused by federal trade deals.

The Ontario government has decided to challenge NAFTA through a legal reference to the Ontario Court of Appeal. Ontario's decision to challenge NAFTA in court is based on a careful review of the issues. This government believes that NAFTA violates the division of powers in the Canadian Constitution. The federal government is exceeding its jurisdiction. It is using a trade negotiation to intrude directly into important areas of provincial jurisdiction. The court challenge seeks to preserve the powers of provincial governments to act in the interests of their citizens.

The measures I have announced today endeavour to address the features of NAFTA that concern Ontarians most. This conclusion is based not only on the advice and analysis of experts, but also on the messages delivered directly by the people of Ontario. In public hearings last spring, witnesses from every region of the province urged the cabinet committee on NAFTA to use every means to resist it. Since then, public opposition to NAFTA has remained strong in Ontario, and a large majority of the population now fears and opposes it.

The people of Ontario understand that trade is essential to jobs and the revitalization of our province's economy, but they also understand that NAFTA does not represent a sound basis for Ontario's economic future. They know that they need not choose between bad free trade deals and no trade at all. Although we may not agree with all the aspects of the Uruguay round, Ontario favours the multilateral approach through the GATT and Ontario is hopeful of a successful conclusion to this round. We will continue to pursue and promote international trade and investment and we will continue to safeguard the interests of the people of Ontario.

**Mr Monte Kwinter (Wilson Heights):** If I was a cynic, I would think this was a real intrusion by the Premier into the national election campaign. If I can quote from an article that appeared in the Star on October 2, it says, "Federal New Democratic Party leader Audrey McLaughlin, engaged in a life and death struggle for her party's very survival, has made opposition to NAFTA a cornerstone of her campaign."

What we have is the national leader announcing prior to the election that she would go to Mexico to highlight the problems that were there and to highlight the effect NAFTA would have on Canadians. She obviously has had second thoughts and has decided not to go, but the Premier somehow has not got the message and is using this opportunity to flog a horse that is already dead, if I can use that analogy.

The Premier makes great note of the fact that he's

going to introduce legislation that will safeguard Ontario's water resources from NAFTA. He should know, if he was in the House right after the FTA was enacted, that we passed that legislation. That legislation is there and the legislation dealing with energy is already there.

**Hon Mr Rae:** Have you read it?

**Mr Kwinter:** I have read it and I can tell you that it is there.

The other thing is that when he talks about social dumping, there is a total unawareness on the part of the Premier as to what is happening in the real world. If low labour costs were the only criterion, Haiti would be the industrial capital of the world. There is more to business and there's more to international trade than just those issues that he has brought up.

1400

I would also like to tell the Premier that I think he's doing the people of Ontario a disservice by wasting, and I use the word advisedly, money on a challenge and a legal reference to the Ontario Court of Appeal. It is estimated that you're going to spend \$300,000 on an exercise that is doomed from the beginning. You haven't a hope of changing what is going to happen, because the trade deal is in the federal jurisdiction.

But I also want to ask the Premier this question: If not NAFTA, what does he think is going to happen to trade between Mexico and Canada? There is nothing to preclude Mexico from trading with Canada right now: 80% of the trade between Canada and Mexico is now tariff-free. The point is that to suggest that NAFTA is going to stop any of the abuses he is concerned about is absurd, and his opposition to it is not going to help anything.

I should tell you that GATT and NAFTA are not mutually exclusive. Mexico and Canada are both signatories to GATT. The Uruguay round provides various protections, and we do have the ability to challenge that.

So I would suggest, Mr Premier, that this is crass political posturing. That is all that it is. You are making a statement that is meant to try to calm Ontario's fears of NAFTA, and it is not going to do any of those things because the provisions you have put forward are meaningless. They have no relationship to fact, they have no ability to change anything and I would suggest that you would be far better off spending your efforts on making Ontario far more competitive.

We've had recent instances of BMW going to Kentucky, we have Mercedes-Benz going to Alabama, we have Audi deciding not to come to Ontario at this point and you are out there flailing away at situations where you have no chance of having any impact when you should be spending your time getting Ontarians back to work, getting the climate in Ontario to the point where

we're attracting investment and putting your efforts to more productive use than what you're doing now.

**Mr Michael D. Harris (Nipissing):** I too want to comment on the Premier's statement. I think the member for Wilson Heights has correctly zeroed in on the reason why we have this statement today, and two weeks from now this will all go by the by and we won't hear anything more about it.

First, when I read the statement and I read the part about social dumping, I thought it was a typo. I thought he meant "socialist dumping," and quite frankly we don't need legislation for socialist dumping because that's what's happening all across this country, including right here in Ontario, due to the natural laws of the election that's taking place on the national scene.

However, I read further and I found out that it wasn't a typo. You actually want to take Ontario taxpayer dollars and you want to give the money, in a make-work project, to a whole bunch of NDP-Liberal, left-leaning, vested-interest consulting groups to prepare cases to lay a complaint to Revenue Canada, the Canadian International Trade Tribunal. If ever there is an exercise in futility and a waste of taxpayer dollars, this will be it.

I also noticed, in the Premier's efforts to justify, I suppose, what he's doing, there was a kind of innocent-looking statement on page 1 and it says this, quoting the Premier, "But in undertaking these efforts, we realize that most of the trade policy decisions that affect Ontario are made by the federal government." All I want to say on that is: Thank goodness, whoever the federal government is, these decisions aren't provincial decisions, because that would have been another area that you and your cronies could have fouled up for the province of Ontario. The fact of the matter is that you have mismanaged virtually every issue that you have responsibility for; in investment decisions and job decisions, the factors that you can control, you have put them to every disadvantage for investment and for jobs in Ontario. All I can say is, thank goodness you don't have jurisdiction over the area of international trade, because you would have fouled that up as well.

Further, I am in one sense pleased that the Premier made this statement today, because I, in responding to the statement, also want to bring to the Speaker's attention the recent newsletter. I have in writing today to the Speaker to call for an investigation into abuse of Ontario taxpayer dollars, the flagrant abuse by the Premier himself in the newsletter he has sent out to all his constituents, that has nothing to do with Ontario, that is a federal election campaign piece, Bob Rae and the Ontario New Democratic Party, "Look at what happened under the federal Conservatives," he said. This is paid for with provincial tax dollars.

As well, as part of this package, going out in the middle of a federal election to your constituents, we

have statements such as: "As you know, the federal Conservative government"—in the middle of a federal election—"the federal and provincial Tories," he says, "support NAFTA. The federal Liberals won't say clearly where they stand on this issue." Bob Rae says, paid for by provincial tax dollars on his franking privilege, about what's happening in Ontario, Bob Rae says to his constituents, "We need a federal government that understands the needs of Ontario."

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mr James J. Bradley (St Catharines):** All right, stop the clock.

**The Speaker:** Very helpful. Would you reset the clock at 30 seconds, and the leader of the third party.

**Mr Harris:** In addition to the \$300,000 of taxpayer money you wasted on the cabinet committee, in addition to the \$80,000 of Ontario taxpayer money you wasted on this video about free trade, a federal issue—I am writing today and asking you, Mr Speaker, to investigate the violation of the spending rules of the province of Ontario with this franking literature that he sent out.

*Interjections.*

**Mr Anthony Perruzza (Downsview):** You go tell that to the people out of work.

**The Speaker:** The member for Downsview.

**Mr Harris:** I am also writing to ask for an investigation of the Premier's violation of the federal election expenses act.

**The Speaker:** It is time for oral questions.

**Mr Alvin Curling (Scarborough North):** I think we'd asked, Mr Speaker, for unanimous consent to pay respect to Dr Wilson Head, and I think we had unanimous consent on that.

**The Speaker:** We have unanimous agreement? Agreed.

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WILSON HEAD

**Mr Alvin Curling (Scarborough North):** Today I rise on behalf of my party, the Ontario Liberal Party, and I'm sure on behalf of my colleagues here, to pay respect to the late Dr Wilson Head, a man of outstanding integrity and courage.

I knew Dr Wilson Head personally for over 20 years. As an associate professor at York University for many years, it is his avid students who exalt him highly, fondly reminiscing about his inspiring lectures, complemented by stimulating class interaction. He challenged us and many of the students. He challenged their thought and also taught them how to think.

Wilson Head was undoubtedly one of Canada's most outstanding race relations pioneers. He was instrumental in placing racism on the public agenda, especially at a time when Canadians even doubted that racism existed



in this society. His fight to eradicate racism culminated in the establishment of the National Black Coalition of Canada and later the Urban Alliance on Race Relations. Through these organizations over the years, he spearheaded efforts to heighten the awareness of racism and bring the black community closer together. More recently he advocated a global approach to our problems, an approach which allows us to take the struggle for equity further.

Despite the growing tensions in urban race relations in recent years, Wilson Head never wavered, nor did he at any time become disillusioned. He is described by friends as "a visionary and a realist...with a vision of the world as it should be, but knew the world as it was." I quote from Kamela Jean Gopies, who stated that. She spoke on behalf of Dr Wilson Head with such compassion.

Wilson Head also emphasized the importance for us to be committed to the struggle, for without careful monitoring and education, social justice, he said, will slip away from us.

He will be remembered as an individual who has contributed to make the country a better place for all of us, whether we are black or whether we are white, Jew or Gentile, whether we are Muslim or Hindu.

A memorial service will take place November 13 in the senate chamber at York University. That university has set up a scholarship in his name to help support an undergraduate student studying race relations. May God rest his soul in peace.

**Mr Michael D. Harris (Nipissing):** On behalf of the Progressive Conservative caucus, I too want to pay tribute to Wilson Head today. I know much has been written and much has been said and will be said about his academic and community work. Wilson too was a family man who, like so many others from around the world, came to this great country and to this great province in search of new hope and opportunity. On overwhelming balance, he found it here in Ontario, Canada.

Wilson Head also found that along with the tremendous blessings that this country had to offer its citizens came a responsibility to return something back. That's why Wilson Head, a university professor, a social worker, a community activist and a black man, took up the cause of race relations. Wilson was a pioneer in terms of putting race relations in Canada on the public agenda. He was a prime mover in terms of fighting for racial harmony and equality of opportunity in this country. He met quietly but most effectively—all of those whom he met with will tell you—with bankers, with newspaper editors, with cabinet ministers and with others to get his message out.

In 1975 Wilson Head founded a multiracial advocacy group in Toronto, the Urban Alliance on Race Relations. Some have called him a pragmatist, others a

visionary, and surely, in many ways, he was both. His many and valuable contributions to his adopted country surely serve as a lasting tribute to the work and to the life of a great Canadian.

**Hon Elaine Ziemba (Minister of Citizenship and Minister Responsible for Human Rights, Disability Issues, Seniors' Issues and Race Relations):** I rise on behalf of the NDP caucus, and it's my honour to pay tribute to Wilson Head and to remember a great pioneer, a community leader, an advocate, an activist and a person who struggled for racial justice his entire life.

That struggle started in his own home country of the United States. With that struggle, he looked for a place that he could call home, a place that he could raise his family to make sure that they had a better life. We are pleased that he chose Ontario when he chose Canada to come to, to fulfil his moments of fighting for a better and just society.

In those struggles and in those ways of trying to make this a better place to live, he was a member of many organizations, an organization for world peace, and through religion and through the Canadian Civil Liberties Association, he found an outlet for trying to bring about that peace and justice we all strive for. But he saw there was a need in Ontario and in Canada, unfortunately, to look at how racism and discrimination also were raising their ugly heads in this wonderful new place he called his home, so he founded and became the first president of the Urban Alliance on Race Relations and was a member for 16 years.

Although unfortunately he had a struggle with cancer, he still considered that his work was vital and that he must end racism and that he must be on the forefront. I was very pleased, when we celebrated United Nations Day, which is committed to ending racism, in Nathan Phillips Square last March 21, that Wilson Head came on a very cold and blustery, rainy day. He spoke to the audience that was there in Nathan Phillips Square about the struggles that he had faced for the last several years and that he saw were still needed in Ontario and in Canada. He asked the audience to do the struggle in peace and to look for a way of ending racism and disharmony in ways that would bring about a different society in a way that was peaceful.

Yes, he was a visionary, he was a pragmatist and he was a realist, but he also was a friend. He was a friend to many different people. My colleague Zanana Akande spoke in this House yesterday about his contributions to our society and to how we will miss him. If we are to commemorate his memory and if we are to make sure that he is not forgotten, the thing that all of us in this place and in this House and in our society can do is to continue the work that Wilson Head started, to continue the struggle and to make sure that racism and discrimination are completely ended in our society and in this province of Ontario. I know we all share the efforts that

he made, and want to make this a better place for our families as well.

To his family, to his wife, his children and his grandchildren we send our heartfelt sorrow and say we will try to honour his memory in a way that he would want us to, and that is to work hard to end racism.

**The Speaker (Hon David Warner):** The kind and thoughtful comments by the honourable member for Scarborough North, the leader of the third party and the Minister of Citizenship will be sent to the family of Dr Wilson Head.

#### ORAL QUESTIONS SOCIAL ASSISTANCE

**Mrs Elinor Caplan (Oriole):** My question is to the Premier. It regards recent media reports that family members of the Somali warlord, General Aideed, are in fact receiving welfare benefits in the province of Ontario. I know the Premier is aware of this, as he said yesterday that it was important that these people be treated fairly, and I agree with him. However, I also believe that the people of Ontario have a right to know that their tax dollars are being used appropriately.

It has been reported that Khadiga Gurhan continued to receive welfare benefits while she was on an extended trip home to Somalia. For many people in Ontario, this is particularly disturbing. At a time when every tax dollar is precious, these kinds of stories, I can tell you, make people's blood boil. The fact that Ms Gurhan could afford a \$2,000 ticket to Somalia indicates that she may have other means of support. You have the authority to launch an investigation where there is evidence that a social assistance recipient is either no longer eligible or never was eligible. I'm assuming that you have launched an investigation and ask you, Premier, to please indicate to us what you have found as a result of your investigation.

**Hon Bob Rae (Premier):** I'd refer that to the Minister of Community and Social Services.

**Hon Tony Silipo (Minister of Community and Social Services):** I appreciate the question. I think the member will appreciate as well that whenever any issue like this is raised, we have a responsibility, as I think the Premier has indicated publicly as well, to be fair to all individuals concerned.

I can tell her without commenting, and I hope she will appreciate my inability to comment on the specific situation, that the policy we follow in these issues is that whenever there are allegations of this nature that are made against any individual, that information is passed on, if it hasn't already been passed on, to the appropriate officials in the ministry, and that matter is then dealt with in terms of whether there is a need for an investigation to take place. That is done, and those actions are done as a matter of course. That is certainly what would happen in any circumstance such as the one she's described.

1420

**Mrs Caplan:** To the minister, this is not a question of "a matter of course." I'm frankly surprised and appalled to hear that there has been no specific investigation that has begun. There is clear evidence that Ms Gurhan may not have been eligible for social assistance. The Family Benefits Act gives social workers and the minister clear authority and responsibility to ensure that any person receiving social assistance is eligible.

You are the guardian of the taxpayers' dollars in this province, and it's obvious from Ms Gurhan's own words that there may be a question as to eligibility. The people of Ontario have a right to know that the welfare system is not being abused, and you, sir, have a responsibility to act. I'm asking you if you will launch an investigation and if you will guarantee us today that the results of that investigation will be made public.

**Hon Mr Silipo:** What I was trying to remind the member of, as I'm sure she would well know, is that there is legislation in this province, including the freedom of information legislation, which prevents me and any other minister from responding specifically to individual situations of this kind.

What I was also trying to explain to the member was to assure her that we take our responsibilities quite seriously, and whenever issues such as this one are raised with us, we ensure that the appropriate course of action is taken. That is certainly what would be happening in this instance, as it would be happening in all other instances.

**Mrs Caplan:** Unlike the Tories, the Liberal caucus has never been understanding about people who would abuse the welfare system. I want to know from you today, is there an investigation? When will the results be complete? Will the heavily burdened taxpayers in this province have the information on this particular case, and will you commit to us today to make that public? Questions: Is there an investigation? When will it be completed? Will you give us that information?

**Hon Mr Silipo:** Either I'm not being very clear or, I suspect, the member opposite doesn't really like the answer I'm giving her and therefore is persisting in a line of questioning which she knows places me, as a minister, in a position where I can't give her the direct answer. If there is an investigation going on, I'm not at liberty to say that there is or there isn't, and I'm not at liberty to indicate to the member that there would be a public statement made by me or anybody else at some future point indicating what might happen. Things ensue in the normal course of looking after these issues.

I can assure her, however, that issues like this are treated very seriously. We take very seriously our responsibility to ensure that in the area of social assistance, the funds and the benefits are provided to those people who need them, and therefore issues of abuse are treated very seriously. Therefore, I can assure her that



issues like this are treated quite seriously.

In fact, I could say to her that we are looking in a more general way at what things we need to do in the system, beyond the measures that are already in place, to ensure to an even greater degree that the funds we spend in the social assistance area are being spent in the wisest way possible. But I can assure her that these issues are taken quite seriously.

#### BUSINESS PRACTICES

**Mr Steven W. Mahoney (Mississauga West):** My question is to the Minister of Consumer and Commercial Relations. Minister, you no doubt saw and heard the demonstration this morning by Pizza Pizza franchise owners outside this Legislature.

**Mr James J. Bradley (St Catharines):** You raised this a couple of weeks ago.

**Mr Mahoney:** I did raise this a couple of weeks ago. They're protesting unfair treatment by the Pizza Pizza head office, which they have been battling for months. Their allegations include the squandering of about \$8.5 million of franchisees' money on lavish things like parties and trips to Puerto Rico. Now, 52 of these franchisees and their families are being threatened with imminent seizure of their stores. There is seemingly no protection in the province of Ontario for these franchisees. As I said before, it is the wild west of the business world.

I raised this issue originally on September 29 and the Premier said, and I quote from Hansard, "I know the minister will also want to be meeting with the particular people you've mentioned." Yet in the last two weeks, according to the people affected, no such meeting has taken place. Minister, why have you failed to meet with these Pizza Pizza franchisees even though the Premier, two weeks ago, promised that you would?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** Officials from my ministry have, over the past several months, met with both sides in the dispute to facilitate communications between both sides. Working with the Canadian Franchise Association, I have scheduled meetings to meet with representatives from various franchise groups, coming up I think in late October or early November. I have in the past not met specifically with this group but with another group made up of representatives from that community who have concerns. As well, of course, a number of members from all sides of the House, including yourself, Jim Wiseman from Durham West and others have raised these concerns with me.

I can't speak specifically about the Pizza Pizza dispute, because as you know, it's before arbitration proceedings at this time.

**Mr Mahoney:** Broken down; nobody's talking.

**Hon Ms Churley:** Oh, no, not necessarily.

In general, my ministry is trying to keep both sides

together. Legislation at this time, as you know, would not resolve this particular situation. It would be very complex and very lengthy, with a lot of consultation involved. We want to see this arbitration process continue and hope there will be results as a result of that.

**Mr Mahoney:** I'd like to send you a copy of the Hansard where the Premier says, "I know the minister will also want to be meeting with the particular people you've mentioned." "The minister"; that's you. Maybe I could get a page to take you a copy. I've highlighted it for you so it's easy to read. It doesn't mention officials in your ministry; it mentions you. You're the minister, you've got the limo, the Premier promised you'd meet with them and you haven't done it.

According to the franchisees we spoke to as recently as this morning, the only contact they've had from Queen's Park since September 29 was a letter from my Liberal colleague the member for Oriole. They've heard nothing from you, Minister. In the meantime, the mediation between the parties that you refer to has completely broken down and hostilities are escalating.

**Hon Bud Wildman (Minister of Environment and Energy):** Is this a question or is this a speech? If you're going to make a speech, you should at least allow us to have supper first.

**Mr Mahoney:** You don't care about these people, Minister of Environment and Energy? That's your problem. These small business people are about to lose their businesses, their homes and their life savings because of this ruthless treatment, and your government just sits on its thumbs. In over three years of NDP government, you've done nothing for consumers, for small business people. All we've seen is casino gambling from this minister.

Minister, will you meet with Mr Dave Michael, very specifically, the president of the Southern Ontario Pizza Franchisees' Alliance, today, and see what you can do to help these people before their lives are ruined?

**Hon Ms Churley:** I already assured the member that I will be meeting very soon with some of the people he's referring to. That's all I can promise. Let me say again that I think there are two different issues being raised here.

*Interjection.*

**The Speaker (Hon David Warner):** Order.

**Hon Ms Churley:** Would you like to come back to your old office? Is that the problem over there?

*Interjections.*

**The Speaker:** Would the minister take her seat.

*Interjections.*

**Mr Bradley:** Time's a-wasting.

**Hon Ms Churley:** Yes, Mr Speaker, time is a-wasting. I want to get back to what I was saying earlier.

There are two different issues the member is raising.

**1430**

If, when the Liberals were in power, they had moved ahead with legislation, possibly the problem we're looking at now wouldn't be happening. The issue is that even if we passed legislation today, it wouldn't resolve this specific problem. That's why I think there have been difficulties in keeping the process that is in place together, but we should work to keep that process in place.

In terms of future legislation, I know the Liberals had looked at it at one time and didn't proceed—

**Mr Gregory S. Sorbara (York Centre):** Marilyn, we could have solved this between innings.

**The Speaker:** The member for York Centre, please come to order.

**Hon Ms Churley:** I have looked at the possibility of legislation. There's only legislation in one province in Canada, as I'm sure the members across the floor know, and that legislation is very weak. It's in Alberta. It deals with disclosure—

**The Speaker:** Would the minister conclude her response.

**Hon Ms Churley:** Yes, Mr Speaker. It deals with disclosure and it deals with mediation processes which we have in place right now. The whole area, as the member knows, is very complex. It doesn't just deal specifically with Pizza Pizza; it deals with a whole array of franchisees. It has to be looked at very, very carefully.

**The Speaker:** Would the minister please conclude her response.

**Hon Ms Churley:** Thank you, Mr Speaker.

**Mr Mahoney:** There are two issues. There's the first issue of the 52 franchisees and their families who are going to be put out of business, who are going to lose their life savings. That is a very real human issue that anybody in this province would have thought an NDP government would show some concern for. We see nothing. We hear baffle gab about, why didn't the Liberals do it? You're the minister. The problem is now. Why don't you meet with these people? That's the first issue. You personally and your boss, the Premier, promised you would, and you haven't done it. I ask you on their behalf to do it.

The other issue is this report, which is of the forensic and investigative accounting firm of Lindquist Avey Macdonald Baskerville, a very renowned accounting firm. It's quite a thick report. They have analysed all of the ongoing accusations. They have found that in one example, out of the \$8.5 million squandered, \$80,000 was paid to Mr Lorne Austin out of the advertising account when they couldn't even justify 50% of that. They've taken trips to Puerto Rico, they've—

**The Speaker:** And the supplementary?

**Mr Mahoney:** —given out free pizzas, all at the expense of these small business people.

We want legislation; we want you to look at that, but more importantly, today we want you to meet with the representatives of the 52 families that are affected, show that you care and try to help them save their businesses and their life savings. Will you commit to do that today?

**Hon Ms Churley:** I will be meeting shortly with representatives from many of the franchises. In the meantime, I will do everything I can, as we have been doing in the ministry over the past few months, to keep together the process that's in place so that a resolution can be found. I certainly will commit to making sure that process is kept in place and there is a resolution to the problem.

#### SCHOOL TRUSTEES

**Mr Michael D. Harris (Nipissing):** My question is to the Minister of Education and Training. The Ottawa Board of Education trustees recently voted to reduce their number from 18 to 10. Four Metro school boards are also considering a reduction in their numbers. As you know, the number of trustees in any area is determined by the Education Act; therefore, any significant change to that number of the type we hear being talked about—certainly Ottawa, and we hope Metro is that significant—will require your approval.

Given the cost savings associated with these proposals, will you amend the Education Act to give the green light to all school boards in this province that wish to cut their numbers of trustees?

**Hon David S. Cooke (Minister of Education and Training):** It is my intention to bring in amendments to the Education Act this fall, and one of the sections of the amendment will deal with this exact issue.

**Mr Harris:** While we're looking at the Education Act and dealing with this, the minister would know that according to the Education Act, until 1989 outgoing school boards couldn't set their own salary. They had to set it for the next board and then defend that increase, if it was an increase, defend that salary level at the next election. That made them accountable to parents and it made them accountable to taxpayers at election time for the remuneration they were to receive, the honorariums.

However, in 1989 the Liberals changed this system to allow school boards to set whatever they wanted to pay themselves, any time, anywhere during that current term, in between elections. As a result, we have seen huge increases at a time when expenditure control programs have been ongoing.

While you are bringing in your changes to the Education Act to allow for a reduced number of trustees, will you also bring an amendment forward this fall, before the next election, to amend the Education Act, back to where it was before the Liberals got hold



of it, so we can put an end to this nonsense of trustees voting themselves increases during the current terms?

**Hon Mr Cooke:** I certainly agree with the member that what the Scarborough Board of Education did—and I think one of its greatest proponents in the salary increase it took is a trustee by the name of Bill Davis, who used to be a member of the Tory caucus—was a disservice to all trustees and all school boards across the province, because most trustees have dealt with this whole issue in a very responsible way.

However, the bottom line is that there is an election every three years, and I believe that in a democracy the voters should decide. The voters will reward trustees who unfairly take advantage of their ability to set their salaries by defeating them in the next election. That's the appropriate way for these matters to be dealt with.

**Mr Harris:** We should have an election every three years around here, Mr Speaker.

However, I would think, Minister, that most parents share my view that the more education dollars we actually spend inside the classroom, the better it is for our children. There are 172 school boards in Ontario and 2,132 trustees. In Metropolitan Toronto alone, there are 112 trustees of nine boards. In fact, we have two layers of school boards. The costs associated with these boards, it is obviously becoming apparent, is money that does not end up directly in the classroom educating our children.

Minister, you're spending millions of dollars on an education commission that you currently have travelling the province. Will your commission be looking into whether this system we have in place, with layer upon layer and the numbers of trustees, is in fact an efficient way to educate our children in 1993?

**Hon Mr Cooke:** We specifically, in the terms of reference for the royal commission, asked it to take a look at the whole question of governance. That issue will be dealt with.

In the meantime, there are lots of opportunities for school boards to share services between boards that share the same boundaries. If you take a look at the fact-finder's report down in Essex-Windsor that Tom Wells did for us, he identified where literally millions of dollars can be saved by cooperative services between coterminous boards, or boards that share the same boundaries, so there's no need to wait for the commission. Boards can do lots to save taxpayers' money and take money and put it into the classroom. We're encouraging them and working with them to do that now.

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#### ASSISTED HOUSING

**Mr Michael D. Harris (Nipissing):** My second question is to the Minister of Housing. Two weeks ago, I raised the example of a government-owned housing project on Waverley Road. You blamed the Liberals,

then you blamed the residents, and I think you would agree with me that, in general, you indicated that if you had known everything then, when it was started and through the process, you probably wouldn't have proceeded. That was an unusual example.

Minister, I would like to raise with you 10 Ashdale Avenue. This is not an unusual one. This is typical of all the projects that the Liberals brought in and that you keep pursuing.

Ten Ashdale Avenue was presented to you, and we have the data on 10 Ashdale Avenue here. Purchased for \$220,000, it was renovated at a cost of approximately \$35,000. With taxes and landscaping, the total cost was \$285,695, according to your ministry figures. But this building is for only two apartments. Minister, could you tell me—never mind the fact that the Liberals started this one too—do you think it makes sense today to spend over \$140,000 for a two-bedroom apartment when we have so many families on waiting lists for affordable housing and so many vacant units sitting here in Toronto waiting for them? Do you think that makes sense?

**Hon Evelyn Gigantes (Minister of Housing):** What I'm going to do is go back into the Ministry of Housing files and examine what has happened at that particular property and take the opportunity to report later to the Legislature, if I may.

**Mr Harris:** The minister must be aware of this. This example, I believe, was raised in the estimates during the summertime with the minister. It's very typical of how you're wasting our dollars. My office spoke with the housing firm which runs 10 Ashdale Avenue. There are no special requirements to these units, yet the average monthly subsidy is \$1,418 per unit.

Now, listen to what you can rent in the Greenwood-Danforth area for about half of that: "Danforth-Greenwood, \$650, two-bedroom, clean, non-smoker units"; "Danforth-Greenwood, two bedrooms, laundry, \$800."

Here we have "Coxwell and Queen, luxury two-bedroom, skylight, available November 1 for \$780 per month."

These apartments are currently on the market. There are thousands more like them all across this province. You know that. They are renting for about half of what it is costing for 10 Ashdale in Toronto. How can you continue to defend a policy—even though it was started by another government, you're carrying it on. How can you continue to defend this? It's costing the taxpayers twice as much money as simply giving shelter subsidies to those on waiting lists into existing vacant units here in Toronto.

**Hon Ms Gigantes:** I think it's important for the leader of the third party to understand that there's a difference between a particular project, which I've told him I'd be glad to check the details on and report back to the Legislature, and a policy.

I'd like to point out to the leader of the third party that even in this instance, which I can't at the moment verify what he is saying in terms of the figures involved, in the arrangements in the non-profit housing program this property will stay at the same cost over 35 years. Can he tell me that the apartments that are now vacant, which he has just cited, will stay at the same cost over 35 years? You bet they won't.

**Mr Harris:** I'm glad the minister raised that, because Clayton Research Associates, considered to be one of Canada's most respected housing economists, released a study last week on the cost of Ontario government-owned housing built or committed by you and the Liberals. They concluded that even after 35 years, even after the mortgage is paid off, it will cost nearly \$100 billion more in the long term for 45,000 government-owned housing units than if we provided shelter allowances for the same number of needy families.

Sorry; that's \$1 billion more.

Will you place a moratorium on all of this wasteful spending, this duplication of effort, to build unneeded, unwanted, surplus units at double the cost of what exists in the marketplace in towns and villages and cities all across Ontario until we can get a handle on how we're going to provide twice as many units to twice as many people for the same number of dollars? Will you do that?

**Hon Ms Gigantes:** If we were to place a moratorium until he gets a handle on this kind of policy, we would never be moving forward at all in this province. He can't keep his billions straight from his millions.

I want to repeat to the leader of the third party that when you make an investment in non-profit housing and you do good land purchase and you do it circumspectly, which the Ministry of Housing is engaged in doing, and when you work out construction costs as the very bottom costs you can pay, which the Ministry of Housing has engaged to do, then you can provide units which remain affordable as a public asset for the use of the public, for public needs in housing over 35 years. That is not what is offered by either the report to which he refers or indeed his easy claims that you can solve the housing needs of Ontario now or in the future by putting in more than the \$2.5 billion, the 25% of total rent paid in the private rental market last year. Have you got that? Of the rents that we paid in Ontario, that the public paid, 25% were subsidized through the social assistance system.

**The Speaker (Hon David Warner):** Could the minister conclude her response, please.

**Hon Ms Gigantes:** How much would be enough? Fifty? Seventy-five? It doesn't build any new housing. It doesn't provide an asset for the future.

**Mr Harris:** On a point of order, Mr Speaker: I wonder if I could just correct the record. I think I

indicated that the difference was \$100 billion over 35 years. The Clayton research figure is over 50 years. The difference is \$100 billion. That's what they say, and I would like to correct the record.

#### CASINO GAMBLING

**Mr Carman McClelland (Brampton North):** My question is for the Minister of Consumer and Commercial Relations. Documents that were leaked to us a little over a week and a half ago contained a table analysing all proposals received by the government.

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mr McClelland:** Thank you, Speaker.

I was referring to the documents that were leaked and have taken on a bit of a life of their own around this place with respect to the casino project. Those documents contained a table setting out an analysis of the bids or the proposals received by the government with respect to the Windsor casino project. That analysis is the result of a review of the bids by the bureaucrats and experts charged with the responsibility of making a decision. That analysis was also prepared to help them in deciding who would be on the short list.

Minister, I am wondering if you can tell me and other people who are interested why this table includes significant material inaccuracies and errors regarding at least two of the casino proponents. One of those proponents did not make the short list. Can you explain why the equity figures on at least two of the proponents' numbers are out by as much as \$50 million?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** As I have mentioned many times in this House, I am not involved in the selection process, so I cannot—

**Mr Gregory S. Sorbara (York Centre):** You're not involved with anything that's involved with your office. Nothing. Zero.

**Hon Ms Churley:** There you are; you're jealous again that you're not back in your old office.

**The Speaker:** Order. The member for York Centre is out of order.

**Hon Ms Churley:** Settle down, settle down. The process that we put in place is a non-political process. I'm sure that if I were to be involved in any way, the members across the way would be complaining that there is political involvement. Let me make it perfectly clear.

**Mr Sorbara:** That's what Richard Nixon used to say.

**The Speaker:** The member for York Centre is asked to come to order.

**Hon Ms Churley:** This process is very important. We're not rewarding any of our old friends, like the parties over there in the past. There's no patronage



involved. We have set up a very clear, independent, fair process with respected deputy ministers in charge of the process.

**Mr McClelland:** Minister, I'm afraid you don't understand the difference between political interference and political responsibility. You are the minister. You have a responsibility and are charged with the responsibility of managing the affairs under your jurisdiction. Minister, you can't keep dodging out of it and saying: "My hands are clean. I don't want to get involved." You are the government and you are in charge.

According to the information we have received, your documents, and they are your ministry's documents, show the Windsor Argosy casino group's having \$25 million in equity in its proposal. Their proposal said that they had \$75 million in equity. That's a difference of \$50 million. Grand Casinos is shown as having \$25 million in equity in the chart. Their bid in fact showed that they had \$64.6 million. You're out by almost \$40 million in that regard; \$50 million in one and \$40 million in another. Clearly, these material errors would have affected the outcome of the bidding process, and not surprisingly, these groups didn't make the short list.

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The integrity of this entire process is now called into question. What do you have to say to the people who were involved not only on this project but on subsequent casino projects? Is your ministry guilty of gross incompetence or worse? Minister, explain the inaccuracies. Your figures are wrong.

**Hon Ms Churley:** They are not my figures. I am prepared to discuss at any time, as the minister, the process. In fact, when we announced the short list, we made public all the material to the proponents and to the public on the process, and this information was understood by all of the bidders. Naturally, those who didn't make the short list are disappointed, but that does not mean the process was in any way unfair.

He has one draft over there that he is looking at and is helping spur on rumours. I can assure the member that this process has been followed to the letter as to the criteria, very tough criteria, which this government set out. It has been followed to the letter. But let me say again, I will not get involved in the process of the choice in this selection.

SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mrs Margaret Marland (Mississauga South):** My question is for the Minister of Community and Social Services.

*Interjections.*

**The Speaker (Hon David Warner):** Would the member for Mississauga South take her seat. I must caution the member for York Centre: He is causing a disturbance, and if he continues, he will be named. The member for Mississauga South has the floor.

**Mrs Marland:** My question is for the Minister of Community and Social Services. The minister knows that I have frequently raised the plight of developmentally handicapped youth and their families when these young people turn 21 and are no longer eligible for children's services.

He may also remember responding to a letter from Ms Lois Mercer of Hamilton, whose autistic daughter Shawna is about to turn 21. Shawna presently spends weekdays in a children's group home. However, there are no adult group home openings for her. According to the Hamilton Association for Community Living, its waiting list for adult group homes was closed in 1989. At least 300 adults in Hamilton need a group home placement, but only 91 can be served now. If a group home cannot be found for Shawna, her mother, who is a single parent, will have to quit her job, go on social assistance and stay home to look after her daughter's intensive needs.

Minister, there are thousands of families facing similar dilemmas. My question to you then is, why did you say in your letter to Ms Mercer, "I am confident that with a concerted effort from all the people involved with Shawna, a suitable placement can be found for her"?

**Hon Tony Silipo (Minister of Community and Social Services):** I said that in that letter. I don't recall the specifics, but I'm sure that I would have signed a letter to that effect simply on the basis of the process that's to be followed locally with each of those instances in trying to work out locally the level of service.

In a general way, I can tell the member that certainly we know the pressures and the problems there are in this area, which is why, despite the fiscal situation that we're in, I recently announced the fact that we were adding \$20 million to the whole area of supporting people with developmental handicaps to live in their own communities, and that both through that and through some of the special services at home we hope to be able to add to the range of services that are available to families such as the one she's described.

**Mrs Marland:** Mr Minister, I wish you would speak to Lois Mercer. There are fewer things in this House that I feel as passionately about as these young people, and I wish you could feel the same kind of passion. What kind of logic is there in asking this mother to quit her job to go on social assistance to stay home to look after her daughter and care for her because of her special needs? I think it's regrettable that you are asking her to do this.

This is a mother who already has looked after herself. She got herself off welfare. She educated herself. She raised four children on her own. Now you're asking her to go all the way back, and I think it's grossly unfair. You obviously have no understanding of what it's like

for these families in these desperate situations.

What is it that you feel about these disabled adults? What happens with a birthday? One day they're disabled children and the next day they're disabled adults and you have no programs for them. Your government's long-term care reform has no programs for adults with developmental handicaps; it doesn't even talk about them. I ask you, Mr Minister, when you look into the case of Shawna Mercer and the thousands who are like her in this province, where is your economic responsibility when you're going to put them on welfare and cost this province more money than letting the mother work and having a program for the child that she is otherwise wholly responsible for?

**The Speaker:** Could the member conclude her question, please.

**Mrs Marland:** Yes, I will, Mr Speaker. Minister, what will you do to help Lois Mercer, her daughter Shawna, and the thousands of other families that are in similar crises? Tell us now what you will do, because you have to do something. It's your responsibility.

**Hon Mr Silipo:** I think our responsibility is to be as helpful as we can be in dealing with these very real problems. When I am able to stand up in this Legislature, in the face of everything that we are doing as a government to try to contain costs, which the member and her party have continued to tell us we need to do, and tell the member that in the face of those decisions we have added this year \$20 million to assist exactly with these kinds of situations, to assist in providing additional spaces, additional group homes so that people can live in their communities to a greater extent than is the case now, I think that's a very real example of how seriously we take these kinds of issues.

The details of that are being worked out—

**Mrs Marland:** Talk to the parents.

**Hon Mr Silipo:** It's not simply talk. Dollars are being put out there that are being used locally through the planning processes happening through each of the area offices with the agencies that provide support to the individuals such as the one you've mentioned. That's the way we can continue to improve, and need to continue to improve, the services in this area, which we all agree are wanting and which we all agree are not meeting the needs that are out there.

**Mrs Margaret Marland (Mississauga South):** If you know so much—you are supposed to be the great party.

**The Speaker:** Order, member for Mississauga South.  
*Interjections.*

**The Speaker:** Order. The member for Durham West with his question.

#### PICKERING AIRPORT LAND

**Mr Jim Wiseman (Durham West):** My question is to the Minister of Natural Resources. Last week there

were a number of startling occurrences that have a dramatic impact on constituents in the north part of my riding.

This House will remember that a delegation of my constituents came to Queen's Park to hold a press conference, as they were concerned about the federal government's plan to firesale 5,100 acres of prime agricultural land. Three of our cabinet ministers joined this delegation to make very clear their view on this sale and to call upon the federal government to make a public statement postponing the sale of these lands.

Can the minister tell me if he has had any response from the federal Minister of Transport concerning these lands?

**Hon Howard Hampton (Minister of Natural Resources):** Despite the fact that we have indicated to the federal government on many occasions and in many different ways our concern that the federal lands north of Pickering be dealt with in a responsible way, that there be some concerted land use planning, we have had no response from the federal government to any of our queries at this point in time.

**Mr Wiseman:** I can tell you that the residents on those lands who are facing eviction are saddened by that response.

Last week also, the federal government signed a sweetheart deal with its friends to take over the ownership of Pearson airport that will probably cost the taxpayers \$60 million. Many people might not see the relationship between the deal and the Pickering land sale, but there clearly is one. You see, this deal, the one that will make many Tories very wealthy, also has some interesting implications for the federal landholdings in my riding.

The deal says no new airports within 75 kilometres of Pearson. As reported in the *Globe and Mail* on Monday, "Pearson Deal Death Blow to Pickering," meaning of course that the deal puts a stake through the heart of the ill-fated Pickering airport, an ironic twist to such a terrible deal.

My question is this: Because of the federal government's wheeling and dealing with the Tory and Liberal elite, there will not be a Pickering airport. How does the minister feel that this information will impact on the strategic plan that this government called for just last week?

**Hon Mr Hampton:** We are concerned about the events that have been revealed over the past couple of weeks. Until now, we had been led to believe by federal Ministry of Transport officials that a Pickering airport was still in the works and would still be a part of a greater Toronto area plan. The revelations of the past couple of weeks indicate that that now may not be so.

Our concern is that this land, which is valuable agricultural land, is valuable ecological land—it has



implications for the Rouge Valley park, it has implications for the very valuable Oak Ridges moraine—will be simply put up for sale and all of the agricultural value and all of the environmental value will be ignored, so we continue to be very concerned by what the announcement of the last few weeks has shown.

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#### ONTARIO ECONOMY

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Minister of Finance, and I'd actually hoped to ask the Premier this. I've heard and seen comments by the Premier over the last few weeks that in his opinion the finances federally are in far worse shape than have been reported so far. I think it's his expectation, looking, I gather, at the economy as he sees it, that as the numbers are developed that they will be, as I say, far weaker than the ones in the budget and that shortly we will, as they update their numbers, be informed of that. Clearly that has a major impact on provincial revenues.

The purpose of the question is to ask the Minister of Finance, when you announced the \$800-million to \$1-billion revenue shortfall, did you take into account the expectations the Premier has, and I gather you have, for where the finances of the federal government will be? If you didn't take those into account, what impact do you think they might have on the provincial revenues?

**Ms Dianne Poole (Eglinton):** That's a good question.

**Hon Floyd Laughren (Minister of Finance):** That is indeed a good question. When I announced that the provincial revenues were going to be off somewhere between \$800 million and \$950 million, that was based largely on the settlement of the provincial income tax returns for the year 1992, which were 97% completed, and our own source revenues that made up the balance. I think it was roughly \$600 million on the PIT, the income tax from the federal government settlement, and the balance on our own source revenues at the provincial level. There was absolutely no calculation done based on whether or not the federal government was telling the truth, or "coming clean" is perhaps a more discreet way of putting it, with the level of deficit that it might very well be facing at the end of this fiscal year.

**Mr Phillips:** I'd like to pursue that a little more because, as I say, the Premier—and I've heard him personally and I think I've read where he's indicated that he has some, I think it's fair to say, substantial concerns about the numbers. The reason I raise this is because, as you know and we all know, we're well over half the way through the year. If I heard the Minister of Finance correctly, it sounded to me like he was indicating the expectations were that we might see a further revenue decrease in this fiscal year as the federal numbers firm up.

The reason for raising the question: Is it the government's intention to deal with this additional revenue shortfall through additional reductions in expenditures to hold your deficit under the \$10 billion, and if so, when will we have from the Minister of Finance an indication of the size of the problem and the plan for dealing with it, because we are now less than six months from the year-end. Any fiscal moves will have to take place very quickly.

So the question therefore is this: When will we have the indication of the size of the revenue shortfall and how the government plans to deal with that revenue shortfall?

**Hon Mr Laughren:** The size of the revenue shortfall is, at this point in time, as we laid it out a couple of weeks ago. I have no reason to believe that that number, at this point in time, will be different than what I indicated at that point.

I of course have no way of knowing to what extent the federal deficit is going to be greater and to what extent the revenues will subsequently be lower this year. I do not know when the federal government will make that known after the election, whoever's elected at the federal level. But it's my expectation that the revenue projections that we have there now are the ones that we will achieve this fiscal year, because we were very, very cautious in our revenue projections last spring.

**Interjection:** Not cautious enough.

**Hon Mr Laughren:** "Not cautious enough," someone said. That's quite correct, and no one else was either.

We already had discounted what the federal government said we could expect in the form of income tax sharing from the federal government and the returns were even lower than we had expected and we had discounted what the federal government said we could expect, so at this point in time, there's no reason in my mind to adjust our anticipation of revenues, because we've already done that.

#### CLOSURE OF GOVERNMENT OFFICE

**Mr Allan K. McLean (Simcoe East):** My question is for the Minister of Municipal Affairs and it concerns his closing of the ministry office in Orillia.

Mr Minister, I've been told the Orillia office has three years left on a five-year lease at an annual rent of \$48,000 with no buyout provisions. You've spent \$30,000 in 1991 on renovations, plus an additional \$40,000 for new furnishings. You will need to rent more space in Willowdale at a higher rate, plus incur renovation expenses to accommodate the transfer of staff. The cost of moving staff from Orillia to Willowdale is estimated to be a minimum of \$25,000 per person and there will be increased travel accommodation expenses for staff from Willowdale to service Simcoe county in the future.

Minister, I defy you to justify how the costly move from Orillia fits in with your feeble attempts at economizing and delivering services more efficiently.

**Hon Ed Philip (Minister of Municipal Affairs):** The studies that we did as part of our cost-sharing and cost savings indicated some substantial savings as a result of providing services and consolidating some of those offices. We met with the staff in all of the offices and received their suggestions of ways in which we could save a considerable amount of money.

We've been able to save a certain amount of money by being able to place some of this staff in positions which they wanted and which they found satisfactory. Indeed there are cost savings and we'd be happy to provide him with the exact figures on those cost savings. I'd rather not give those figures right now off the top of my head; I think I'd rather provide them to him in the exact amounts, but they are considerable.

**Mr McLean:** I'd like the minister to table some of those studies and those figures. I have a copy of a Ministry of Municipal Affairs field management branch office consolidation report, Orillia and Willowdale. The Sewell commission is talking of providing more services through the ministry's regional offices. In this report, it appears the Orillia office would become involved to some extent with aboriginal land claims in the Golden Lake region, and its recommendations say, "A regional office in Orillia, while maintaining a service delivery office in Willowdale, will make good geographic, economic and corporate sense in addition to providing any relocating staff with an economically viable lifestyle which will help minimize the human cost."

Minister, this is your study. This is what your ministry staff are telling you. Why will you not leave that office open and save the taxpayers some money?

**Hon Mr Philip:** Leaving that office open would not save the taxpayers money. Indeed the studies that we did, and I'd be glad to give him a breakdown, amount to a savings of some \$450,000. That's a considerable savings to the taxpayers and I'd be happy to give him an itemized breakdown—

**Mr Jim Wilson (Simcoe West):** Must have been written in the Willowdale office.

**Hon Mr Philip:** The member doesn't want to hear that because he would rather cast allegations.

**Mr Jim Wilson:** It defies common sense.  
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**Hon Mr Philip:** The common sense is that I am saying to the honourable member, who doesn't want to pay attention, that we will save \$450,000 through this saving. We'll be happy to table all the information for him. We'll be happy to give him every bit of information he wants. Then I trust that maybe the honourable member will stand up and apologize, because it will be a saving.

**Mr Charles Harnick (Willowdale):** Apologize for what your staff said?

**Mr David Turnbull (York Mills):** What do you want them to apologize for?

**The Speaker (Hon David Warner):** Order.

**Hon Mr Philip:** The Reform Party of Ontario doesn't want answers like this.

**Mr Chris Stockwell (Etobicoke West):** Ed, do you want to know something about the Reform Party? They are going to have about 65 more seats than your party, pal.

**Hon Mr Philip:** A number of the savings will be found and the job losses will be minimized through early retirements. Customer service remains a key consideration, and we're working through municipal elected officials to provide some extra services and to work with them in providing services to those communities.

**The Speaker:** Could the minister conclude his response, please.

**Hon Mr Philip:** So we will have effective service and a saving of close to \$500,000. That's what I call efficient government.

#### RECYCLING

**Mr Kimble Sutherland (Oxford):** My question is to the Minister of Environment and Energy. Minister, as you know, we will be debating Bill 7 later today. One municipality in the county of Oxford, the town of Tillsonburg, has expressed concern about having to implement a mandatory blue box recycling system. They currently have a voluntary recycling program going that by all accounts is fairly successful. Even though most of the other municipalities in the county of Oxford have a blue box recycling program and have had one for many years, the municipality has expressed concerns about having to put in a blue box recycling program. Minister, could you please respond to their concerns as to the benefits of having this blue box recycling program in?

**Hon Bud Wildman (Minister of Environment and Energy):** The member is quite right: We are debating in this Legislature Bill 7, which will delineate the powers that various municipalities, the regional governments or lower-tier municipalities, would exercise with regard to the 3Rs activities.

The blue box to which he's referring is related to the 3Rs regulations that I announced for consultation. He's quite right: The community of Tillsonburg expressed serious concerns. Subsequent to their resolution that they passed, officials from the Ministry of Environment visited the council and expressed our desire to work with the municipalities and to be flexible in determining how municipalities can comply with the 3Rs regulations.

The blue box program is a very important one in terms of assisting us in meeting our target of 50%



reduction in waste going to landfill, but it is not mandatory. There are other methods that could be used. I think Tillsonburg was advised that if they were interested in a blue bag program, we'd be prepared to talk to them about that.

#### LANDFILL

**Mr Steven Offer (Mississauga North):** I have a question to the Minister of Environment and Energy. It's a question around your Interim Waste Authority project. As you will know, there was a press conference held today by the mayor of the city of Vaughan. Minister, you will know that in 1991 your Interim Waste Authority promised "to provide the public with ample opportunity to participate in the planning process and ensure that adequate resources and expertise are provided to participants throughout the project's duration."

After originally saying that a particular site, the Superior-Crawford Sand and Gravel site, was unsuitable, your Interim Waste Authority has been engaged in secret negotiations with Superior-Crawford to have that site put back on the list. What do you say to the mayor of Vaughan and to the residents of Vaughan, who have not had any opportunity to comment on Superior-Crawford's proposal? Why are you allowing your Interim Waste Authority to go back on its word and conduct secret negotiations with Superior-Crawford?

**Hon Bud Wildman (Minister of Environment and Energy):** We haven't done that. The member will know that Superior-Crawford came forward with some information to the Interim Waste Authority, indicating that their site might have sufficient capacity to be included in the IWA's site search process. The IWA, as I understand it, has some serious technical concerns regarding the feasibility of the Superior-Crawford proposal, and as a result of that, it's advised Superior-Crawford that it should carry out technical studies at its own expense.

**Mr Offer:** By way of supplementary, the Interim Waste Authority was created by your government's legislation. The Interim Waste Authority has but one shareholder, and Mr Minister, you are it. You're responsible for the goings-on of that authority.

You will also know that the Interim Waste Authority has publicly identified several sites throughout the province and that the Superior-Crawford site is not one of them. The people, the mayor, the residents around that area have not had the opportunity to comment on a site that is being secretly negotiated between the owners of Superior-Crawford and the Interim Waste Authority. You know that. We showed you the letters of July which indicated that. In your response in the first question, you have acknowledged that.

You have been gathering data on the IWA-selected sites for two years. Now along comes Superior-Crawford to provide its own unscrutinized data, which are not based on the same criteria as the IWA data.

**The Speaker (Hon David Warner):** Would the member place a question, please.

**Mr Offer:** How is this fair to the residents affected by the process? As the sole shareholder of the IWA, you are its owner. Do you not think that the residents of Vaughan and York region have had enough to put up with your bungling? Why are you allowing Superior-Crawford's site to be compared with the IWA final candidates' site? Why are you not giving to the residents the same rights as others? Why are you allowing secret negotiations—

**The Speaker:** Would the member conclude his question, please.

**Mr Offer:** —to be undertaken between your authority and the owners of Superior-Crawford?

**Hon Mr Wildman:** I think I counted about three or four questions there. There was, I think, one theme throughout the list of questions, something to the effect that there were secret negotiations going on. The member is completely incorrect. I guess he has some sort of conspiratorial view of the world. In fact, the Interim Waste Authority will continue—

**Mr Offer:** You're going to have to correct the record.

**Hon Mr Wildman:** Mr Speaker, I point out that I listened to the member's list of questions. Perhaps he could give me the courtesy of listening to my answer.

The Interim Waste Authority will continue to evaluate the short list of sites. It will use the same criteria for all of those sites. If the Superior-Crawford group is able to demonstrate that its proposal has sufficient capacity and that it is technically feasible, then the Interim Waste Authority will proceed to evaluate that site, and it will use the same criteria in that evaluation that it will apply to all of the sites.

1520

#### PETITIONS

##### RECREATIONAL VEHICLES

**Mr Mike Cooper (Kitchener-Wilmot):** I'd like to present a petition on behalf of my colleague the member for Frontenac-Addington, who because of his position isn't allowed to present a petition. It's signed by 2,202 residents from eastern Ontario and it's to the Legislative Assembly of Ontario.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Whereas we, the undersigned, being the owners-operators of all-terrain vehicles, hereby request the same rights/privileges as snowmobile operators, enabling us to travel on secondary roads, concession roads, crown land, trails etc."

##### ONTARIO DRUG BENEFIT PROGRAM

**Mr David Tilson (Dufferin-Peel):** I have a petition of 37 names from a number of senior citizens in my

riding of Dufferin-Peel from the area of Caledon East, Orangeville and Bolton. It's addressed to the Legislative Assembly of Ontario and it's with respect to reform to the Ontario drug benefit program.

"Whereas we, the undersigned, members of Caledon East Seniors' Club 588, are opposed to the revamping of our drug plan to initiate user fees;

"Whereas we feel this change is discriminating between those who have and who have not."

I have affixed my signature to this petition.

#### LONG-TERM CARE

**Mrs Barbara Sullivan (Halton Centre):** I have a petition addressed to the Legislative Assembly of Ontario which reads as follows:

"Whereas the government of Ontario has stated that multiservice agencies, the new single local point of access for long-term care and support services, must purchase 90% of their homemaking and professional services from not-for-profit providers, therefore virtually eliminating use of commercial providers;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We protest the action to drastically reduce the service provision by commercial providers and respectfully request that the impact of this policy decision, including a cost study, be performed before any further implementation."

I concur with this petition and have affixed my signature thereto.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mrs Marland from the standing committee on government agencies presented the committee's eighth report.

**The Speaker (Hon David Warner):** Does the member wish to make a brief statement?

**Mrs Margaret Marland (Mississauga South):** No, Mr Speaker.

**The Speaker:** Pursuant to standing order 106(g)(11), the report is deemed to be adopted by the House.

##### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Ms Haeck from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr35, An Act to revive Owen Sound Little Theatre;

Bill Pr47, An Act to revive Cambroco Ventures Inc.

The committee recommends that Bill Pr49, An Act respecting the Association of Hearing Instrument Practitioners of Ontario, be not reported.

The committee further recommends that the fees, and the actual cost of printing, be remitted on Bill Pr35, An Act to revive Owen Sound Little Theatre.

The committee further recommends that Bill Pr12, An Act respecting the City of Toronto, Bill Pr15, An Act respecting the City of Etobicoke, Bill Pr16, An Act respecting the City of North York and Bill Pr20, An Act respecting the City of Scarborough, be not reported, they having been withdrawn at the request of the applicants.

**The Speaker (Hon David Warner):** Shall the report be received and adopted? Agreed.

#### INTRODUCTION OF BILLS

##### CITY OF WINDSOR ACT (RE CLEARY ESTATE), 1993

On motion by Mr Lessard, the following bill was given first reading:

Bill Pr51, An Act respecting the City of Windsor and the Will of Edmund Anderson Cleary.

#### ORDERS OF THE DAY

##### MUNICIPAL STATUTE LAW AMENDMENT ACT, 1993

##### LOI DE 1993 MODIFIANT DES LOIS RELATIVES AUX MUNICIPALITÉS

Resuming the adjourned debate on the motion for third reading of Bill 7, An Act to amend certain Acts related to Municipalities concerning Waste Management / Projet de loi 7, Loi modifiant certaines lois relatives aux municipalités en ce qui concerne la gestion des déchets.

**Mr David Johnson (Don Mills):** To pick up on the debate from last week, I'd like to say that Ontario needs a waste management policy that stresses waste reduction, reuse and recycling, and that considers all alternatives for the disposal of remaining waste in an environmentally friendly manner and in a fashion that is efficient and affordable to the people and the business community of this province.

I would also like to say that when a user-pay system for waste is implemented, there must be an assurance that municipal taxes are decreased accordingly so that the people are not taxed twice. This government has implemented too many tax increases already. Ontario cannot afford more taxes.

What I was attempting to convey on Thursday of last week was that we have a serious problem in terms of the funding of waste management in the province of Ontario. This government has promised to come forward with a report to outline how waste management will be funded in the future, but we have yet to see that report. I can tell you that municipalities are waiting for that report, the private sector is waiting for that report and the people of Ontario are waiting to see where the money is coming from to pay for the enormous costs of waste disposal in the province of Ontario. That is a very important report.

This Bill 7 that's before us is fine. It deals with a few



issues that need to be clarified but it doesn't deal—

*Interjection.*

**Mr David Johnson:** Well, it may not be fine, then. But at any rate, this bill does not deal with the major problems, some of which already have been debated here this afternoon: the major problems of determining a next landfill site in southern Ontario and the major problem of financing waste management. The waste management costs that are experienced by the municipalities and by the people start right with the collection of regular waste at the curbside. That would be mixed waste.

In Metropolitan Toronto, for example, there are almost 1.5 million tonnes a year from the residential communities that are collected and that find their way into two disposal sites, either at Brock West or at Keele Valley. The blue box system accounts for another 100,000 tonnes of waste in Metropolitan Toronto. I'm only talking about Metropolitan Toronto; magnify that for the rest of the province. In total, if you count the blue box waste, yard waste, white goods, heavy goods, hazardous waste and remediated soil, there are about 270,000 tonnes a year within Metropolitan Toronto that are collected.

There is a cost associated with that. As to the cost associated with waste collection in the city of North York—I'll give you one example—it costs \$17 million a year to collect waste: the mixed waste, the blue box waste, yard waste, white goods, all of the materials that I've mentioned. The municipality of Metropolitan Toronto, to dispose of that waste, runs up a bill of about \$85 million a year to take the waste from the local municipalities, to process it through a transfer station and to ultimately dispose of it either at a landfill site, Brock West or Keele, or else to direct it to the private industry which would recycle the blue box contents.

If you factor the North York component of the cost out of Metropolitan Toronto, it probably costs in the vicinity of \$40 million a year just to collect and to handle the waste in one city alone, in the city of North York, and that's with the system that's in place today. The system that's in place today does not meet the goals that the minister has set for the year 2000. That particular goal is that waste going into the landfill site should be reduced by 50%. With the system today, certainly not Metropolitan Toronto and I doubt very few locations across the province of Ontario would meet that goal of a 50% reduction. Even so, the cost in one city would approximate \$40 million in terms of collection and disposal.

It's interesting to speculate on the user-pay system. If we are to determine that within the province of Ontario this cost, this perhaps \$40-million cost in one city alone, is to be borne by a user-pay system, which means that people who put out garbage bags pay directly, then my guess is that we would have to extract in the order of

perhaps \$150 to \$200 a year from every home owner and every apartment within the city of North York, for example, to pay for that cost, about \$150 to \$200 a year.

**1530**

What I'm saying is, let's be up front with the people. If this is going to be the cost, if this is going to be the technique, if we're going to expect the home owner to pay this sort of cost, let's be up front about it when we're dealing with waste management and let's let them know that this is the kind of cost they're going to be expected to bear.

As I mentioned, that's only the cost if the system was in place today. What we're expecting is a better system, a system that in fact will pull out more recyclable material, a more sophisticated system, a more costly system.

Before I get into that, I wanted to mention one article which I found very interesting. I read just recently the Ontario Recycling update, which crossed my desk within the last week, and on the front page there was an article that I thought was of great interest in terms of this particular debate. This article mentioned the Bluewater Recycling Association. I must say I hadn't heard of the Bluewater Recycling Association before having read this article, but I'm very impressed with this particular operation, which functions in southwestern Ontario and includes counties such as Huron, Lambton, Middlesex and Perth.

It represents about 44 municipalities and collects recyclables from about 38,000 households in southwestern Ontario. It collects cardboard, newspaper, fine paper, box board, phone books, steel and aluminum cans, plastics, films, aluminum foil, pie plates. It must be one of the most sophisticated systems in Ontario. They've had great organization. They have a board of directors. It's a non-profit corporation and it's called a recycling cooperative.

Here is a recycling association that has attempted to be as efficient as possible. I believe, from what I see in this article, you wouldn't find a better-managed system than the Bluewater Recycling Association system in southwestern Ontario. Their costs have fallen by 46% in the last four years. The fee—now I'm getting to the nub of my point. They do charge a fee, a levy, against the people they collect from, and this fee has gone down from \$46 to \$32 in the last year or two. That fee represents 53% of the revenue of this recycling association, while 28% of the revenue comes from government grants, 14% comes from the sale of the recyclables and 5% comes from other fees.

Here we have an organization that's as efficient as it could possibly be, that's searching out markets in the United States, that's selling aluminum in the United States for \$950 a tonne when the market here in Canada is only \$700 a tonne. It's finding these better markets,

yet it can only derive 14% of its revenue from the sale of recyclable materials. The rest of the cost has to come either in terms of a user fee or in terms of a government grant.

**Mr Chris Stockwell (Etobicoke West):** On a point of order, Speaker: A quorum call, please.

**The Acting Speaker (Ms Margaret H. Harrington):** Would the Clerk determine whether there is a quorum present, please.

**Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**The Acting Speaker:** A quorum is now present.

**Mr Robert W. Runciman (Leeds-Grenville):** On a point of clarification, Madam Speaker: Do members have to be in their seats to be recognized as constituting a quorum, or simply present in the assembly?

**The Acting Speaker:** They should be in the chamber. The member for Don Mills has the floor to resume his debate.

**Mr David Johnson:** To wrap up on that particular point, we have instance after instance where we see that, number one, the people of Ontario love the blue box system. It's the most visible sign of waste reduction, reuse, recycling that we have within the province of Ontario, and it's a very important system. But it's a very expensive system any way you wish to describe it. Earlier in the debate I indicated that within Metropolitan Toronto the revenue amounts to \$34 a tonne and the costs amount to \$223 a tonne for the blue box system, so there is a revenue shortfall, for each and every tonne, of \$189 that it costs in terms of grants or subsidies of some form.

I just mentioned the Bluewater Recycling Association, an excellent association in southwestern Ontario, again to show that there's a severe revenue shortfall, and there needs to be an addressing of this serious funding issue. For the life of me, I can't understand why, at a time when an important bill like Bill 7 comes forward, the government wouldn't lay forward its plans for funding waste management in the province of Ontario.

Those plans, we know, will escalate in future years. As we come up to the year 2000 and as we come towards the time when the 50% reduction target kicks in, I would think across the province of Ontario it would mean a reduction of twice as much, at least, as what's been accomplished to this point; we have to accomplish again what we've already accomplished over just barely six years now in terms of waste reduction. The way to do that will be through very expensive facilities. Tens of millions of dollars will be required and again will have to be funded somehow. I mentioned material recovery facilities; I mentioned compost

facilities earlier in my speech.

I'd like to just mention briefly that the wet and dry approach, which I was interested in, is now being suggested on a medium scale—I won't say a large scale, but a medium scale—here in Canada, particularly in the city of Montreal. A pilot project has been under way in Metropolitan Toronto, in North York and Etobicoke, for the last couple of years, but it involves a reduction of some 3,800 tonnes. Now, 3,800 tonnes may seem like a lot of waste, but when you compare it with the 1.5 million tonnes going into the landfill sites today, it is literally a drop in the bucket.

I see in the Toronto Star of yesterday that in the city of Montreal there's consideration given to a wet and dry project. When I talk about wet and dry, what I mean is that there will be two components of garbage. One component will include all the dry garbage, which is paper, cardboard, cans, glass and that type of material that could be considered dry. The other component is called wet, and that would include kitchen scraps, perhaps meat scraps, that sort of thing, vegetable and what's generally considered to be wet material. The two will be separated, and put out and collected separately.

The dry component would be fed into a plant that would pull out the recyclables, and they would be processed in various markets. The wet component of course would be composted, and that compost, over a period of time, presumably would be marketed if it meets environmental standards.

1540

In Montreal, in the Saint-Jean-sur-Richelieu region, to be exact, there is a project that is being planned for next spring at a cost of \$12 million. This is one plant to look after the wet and dry stream; \$12 million, we're talking about.

You may wonder how much such a plant would process, because \$12 million is a lot of money so you must process a lot of waste. The answer is that this plant will treat 44,000 tonnes of garbage a year, which would accommodate a population of about 92,000 people. That's not even the population of the borough of East York, the smallest municipality within Metropolitan Toronto. That's \$12 million for 44,000 tonnes; in Metropolitan Toronto, we deal with 1.5 million tonnes a year.

You can see that if you were to extrapolate this kind of facility across Metropolitan Toronto, for example, we would need about 20 plants at a cost of \$12 million apiece to handle the waste just in this one municipality alone. That perhaps will give you the kind of scope we're talking about, the kind of cost we're talking about to meet the target the government has imposed for the year 2000. It is going to be an enormous cost, the question being: Just where is the money going to come from?

I might add, one answer that is being pursued is the



private sector. Perhaps we won't require all the money from the user-pay system; perhaps we won't expect the home owners and the tenants to ante up all of this money. That's an enormous cost, to meet the government targets. Perhaps we will put the burden of the cost on the private sector. In that regard, government has had talks with the private sector. The concept is called product stewardship. What it means is that those who create the waste pay for the disposal of the waste in the final result.

They're talking with the packaging industry, for example, the manufacturers of various packages, and they're saying, "You should contribute to the waste disposal system." If you look at the blue box—the negotiations in place have taken place particularly around the blue box system—25% of the waste in the blue box is packaging. That's who the government is dealing with. They're dealing with the people who generate about 25% of the waste in the blue box program.

I was surprised at this, but 10% of the waste in the blue box system is associated with the Liquor Control Board of Ontario. There are alcohol bottles or wine bottles or whatever, and for whatever reason, the government has decided not to tackle the LCBO. So far, there's no commitment from the LCBO and apparently the government, as I understand it, is not pressing this point to have the LCBO contribute to waste management funding in the province of Ontario.

The remaining 65% in the blue box is primarily newspaper and magazines. The newspaper and magazine industry has already contributed large amounts of upfront capital costs through Ontario Multi-Material Recycling Inc to pay for the blue boxes and to pay for the infrastructure in the first place. They are a little bit concerned, as I understand it, about having to pay not only for the capital costs up front, but then to provide an ongoing operating subsidy, and we are talking about a major subsidy here if we're talking about recovering all the costs.

They're a little bit concerned about having to pay twice, particularly, for example, if the LCBO is not prepared to contribute even once.

So that approach in terms of attracting the private sector is not going too well, and it's just begun; this at a time, I might add, when the commitment from the province of Ontario expires in April of next year in terms of the funding of the blue box system. The commitment from the province of Ontario expires and municipalities do not know if the provincial government is prepared to fund the blue box system beyond April of next year.

So you can see the uncertainty that's out there. The private sector is uncertain because they're being approached. They think they're not being approached in a level and fair manner. The municipalities are con-

cerned because enormous costs, potentially, are going to be dumped upon them for the blue box program next year, and now I would suggest that the people of the province of Ontario have reason to be concerned because we may well have a user-pay system that will have to be implemented and the people will have to pay twice, more than likely, in the sense that they will pay a direct user fee for every bag of garbage they put out and there will also be a continuing component on their property taxes that they may well have to pay.

That will not be a pretty sight for the people in the province of Ontario in a time of recession and, I might say, it will not be a very attractive proposition for the businesses in the province of Ontario to have to ante up money for waste reduction and the blue box program at a time when many businesses are struggling financially. They're having a very difficult time meeting their payrolls. They already feel they're overtaxed. They feel that in this province of Ontario, even before the provincial budget earlier this year, the taxes are too high. Now they've been hit with more taxes, and now they may be hit with a requirement to fund the blue box program or other waste management initiatives.

I would like to shift perhaps to the last area that I'll comment on today, which is the other main issue that needs to be resolved, and the debate earlier today focused on it as well: the location of the next landfills, three landfill sites, to serve the greater Toronto area.

We saw in the newspapers just recently that the province of Ontario has committed to paying out millions of dollars in compensation to people who will live on or near the next three landfill sites that this government will announce shortly within the greater Toronto area: one in York, one in Peel and one in Durham. People who live on or near those sites apparently now will be compensated to the tune of millions of dollars. I might say that these millions of dollars that will be paid will be small consolation for people who live on those sites, people who have farms, perhaps, people who have lived there for many years, people who have lived in that community for many years. The money will be used for the expense of relocating, for legal fees, for property appraisals, and to relocate people within a radius of 80 kilometres of that particular site. But the people quoted, certainly in the press, feel that this is small consolation. They're not happy about it.

At the same time, the costs associated with this whole program are spiralling out of control. Metropolitan Toronto and the regions were actively pursuing a site selection just a couple of short years ago and were well on their way in an environmental process to select a site. They were working jointly together to find a site that would be suitable.

The province of Ontario, this government, has taken over that responsibility, snatched it away from the municipalities, after the municipalities had spent several

millions of dollars, over \$10 million, in terms of the environmental process and testing of various sites. The provincial government snatched that responsibility, took it over, and now reportedly has spent up to \$40 million, a good deal of it duplicating the very efforts the municipalities had already gone through. So here we are, just short months later, \$40 million spent, 15 sites that are under scrutiny.

1550

This afternoon we heard the debate about the Superior-Crawford site near the city of Vaughan, and I might say that if any municipality has reason to feel this particular system is not working to its advantage, I suspect it's the city of Vaughan. I have every respect for the mayor and I share her concerns with regard to the situation of the city of Vaughan. That particular city may well in the next two years receive all of the waste of the GTA in the existing landfill site, the Keele Valley landfill site located at Vaughan.

The Metropolitan Toronto area has two main sites. The one at Brock is almost full to capacity. Reports from Metropolitan Toronto indicate that more than likely the Brock site will have to be closed in about April 1995, less than two years from now. That site will have to be closed. That will leave one site left in the greater Toronto area. That's the site at Vaughan. That will mean that all the waste from the greater Toronto area will have to focus on that particular landfill site. All the trucks will go to that particular landfill site, and that's not a very attractive proposition to the mayor of the city of Vaughan or to the people who live in that particular area.

I might say that, yes, the Interim Waste Authority is looking at 15 sites. It's caused a great deal of consternation across the greater Toronto area by looking at about 50 sites to start with, now down to about 15 sites, and the people who live around those 15 sites of course are most concerned. In the near future there will be an announcement of three sites, but there will be legal challenges, there will be tests, there will be environmental assessments that will have to be conducted before any one of those three sites is ever ready to accept any waste. If any of the sites are ever ready to accept any waste through the long process, there'll be many, many years that will pass by. As a result, just about all of the waste from the greater Toronto area—I'm talking about residential waste—will focus on the city of Vaughan over the next several years: probably to the end of this century, maybe beyond. So I have a great deal of sympathy for the city of Vaughan.

I should say that what is actually saving the bacon of this particular government at the present time is that waste that's going to those two sites, and soon will only be going to the one site in Vaughan, is primarily just residential waste. The waste from the industrial, commercial, institutional sectors, which could be again as

much as the residential waste, is largely going south into the United States. That waste is avoiding the tipping fee at Vaughan and the tipping fee at Brock, which at one point was \$150 a tonne and which now has come down to \$90 a tonne, but still the waste can be disposed of in the United States for perhaps \$50 to \$60 a tonne, and consequently that's where it's going. It's going into Pennsylvania; it's going to Detroit. It's going to Seneca Meadows landfill site in New York and to Lewiston, New York. It's going to Ohio, to Grand River in Detroit. It's going to a number of locations in the United States.

That's saving the bacon of this government, but it is interesting that at a time when this government has stressed that we should deal locally with our waste problems, the government is turning a blind eye to the fact that about half the waste of this metropolitan region is going to the United States. Not only are they turning a blind eye to it, but they are benefiting greatly from that fact, because without that waste going to the United States, the problem would be unmanageable. Not only would the Brock site be full within the next short period of time, but the remaining site at Keele Valley would also be full to capacity. We would literally have nowhere in the greater Toronto area of southern Ontario to put the waste. That would be the result, and the government's Interim Waste Authority, which is attempting to find three sites, would drag on and on.

I can tell you, just reading from some of the quotes of some of the people who are involved, that the attempt to find another landfill site in the vicinity of Metropolitan Toronto will run into severe resistance. For example, if I quote the chair of the Pickering Ajax Citizens Together, he has accused the Interim Waste Authority of practicing the "three Cs," which is finding sites that are cheap, close and convenient.

One of the members of the Environment Not Economics Association has stated, "It's time to take the gloves off....The fact that there is a shorter list doesn't make it any better," and he's referring to the short list of sites for a new landfill site. "The process is still flawed....Now the government will really find out what is in store for them....civil disobedience, it's a foregone conclusion." That is the kind of resistance the government is going to encounter.

The government is going to find that the groups that are opposing the landfill sites are going to be well funded, they're going to have excellent legal advice, and every avenue is going to be pursued that will involve killing any site in the Metropolitan Toronto region, in York, Durham or Peel.

What should the government do? Instead of pursuing that tremendous resistance from the citizens of Durham, the citizens of York, the citizens of Peel, instead of putting them through that agony, what should they do? It's been our contention all along, and the contention of



a great number of citizens across the province of Ontario, that the government should look at all alternatives for waste disposal. Now, I'm not saying just automatically do them. I'm saying put them to the environmental test.

Those alternatives include, for example, incineration, which is pursued to a great extent not only in the United States but in Europe. Many countries in Europe have very environmentally friendly incinerators, very modern, state-of-the-art incinerators. Japan has such a system, and of course the United States. I don't think, perhaps, the standards in the United States are quite as strict, but certainly in Europe this is the case.

The government should also pursue an environmental study and allow the Kirkland Lake site to be considered. We're not saying, "Go in there tomorrow morning and start laying down the liner and start engineering the site." We're saying there is a proposal that's come forward from the Adams mine, Kirkland Lake, a proposal that would involve resolving this issue of waste disposal for decades. It's a huge site.

Let's just look at it. Right now, waste is going to Ohio. We are turning our back; we're turning a blind eye to the fact that waste from Metropolitan Toronto is going to Ohio and Pennsylvania and New York. For Pete's sake, if this government can allow that to happen and benefit from that situation, why is it not possible to look at an environmental analysis of the Kirkland Lake site? If it doesn't stand the test of an environmental assessment, then fine, rule it out. If it does stand the test, and the economics appear to be attractive from the reports I've seen, then why shouldn't we consider that alternative?

But there's some philosophical bent. This government feels that it must deal with all waste matters right here on the spot, even though waste is going to Ohio. I don't understand that, but I guess there must be some logic there somewhere.

1600

That pretty well brings to a conclusion my comments on Bill 7. I think it's going to be known for what it didn't do more than for what it does. What it does is some housekeeping items that I know are accepted in the private sector and that indeed some municipalities think are required to clarify situations that they are involved with today, so in that regard I wouldn't be obstructionist. But I think in the long run we'll probably look back to this point in time and say that we really didn't grapple with the major issues that are before us in waste management. We didn't grapple with the issue of who's going to pay the enormous costs associated with the program that is in place here in Ontario, and we didn't grapple with the issue of alternative sites.

We have tried to clean up this bill as much as possible. The government has put forward amendments, I know, and I've put forward amendments, our caucus

has put forward amendments and the Liberals have put forward some amendments. One of the amendments we put forward and that I insisted on was to allow the local municipalities in the region of Niagara and the region of Metropolitan Toronto, which had been treated differently than all other regions in the province of Ontario for some technical reasons, to have a say in terms of the collection of waste within their municipalities.

As the bill was originally drafted, the regions—Niagara region and Metropolitan Toronto region—could have unilaterally taken over not only the disposal of waste, which I agree with, but also the curbside collection of waste. It could have been assumed by those two regions without any consultation with the local councils. We identified that and we insisted on changes, and we now have a situation whereby the wishes of the local municipalities within Metropolitan Toronto and within the Niagara region will be considered if the region is considering taking over the collection of curbside waste.

We particularly had a delegation from the city of North York very concerned about that provision. That's been accommodated, and I think that's only fair. It could still be that the regions and the municipalities agree, and that the regions would take over that service, but at least that would be a joint decision.

I think with those comments I will bring to an end my views on this particular bill.

**The Acting Speaker:** I thank the member for Don Mills. Do we have questions and/or comments?

**Mr George Mammoliti (Yorkview):** Why is it that every time the government does something that people like out there and that people react to in a positive way, we get criticized by the opposition? They always find a way to criticize something that they shouldn't really be criticizing.

An example might be North York. North York came in front of the committee that dealt with Bill 7 and asked for particular amendments. Those amendments were accommodated. We passed those amendments; I believe it was unanimous. Of course the previous speaker spoke about North York and how it got the amendments through. Yes, they got the amendments through. I put that package together for the committee to consider. Of course we passed it. I got a note after that, saying—and this was from councillors at North York—that for the first time in the history of them being councillors they felt listened to by a committee at the Legislature. And for me to listen to the criticism after a comment like that is mind-boggling. I can shake my head a number of times. I still can't understand why the criticism has to be thrown this way.

Look, the municipalities like this thing. The municipalities like to have some control, especially when we talk about recycling, especially when we talk about giving them the rights and the authority to make those decisions.

**Mr Anthony Perruzza (Downsview):** It's called an open process.

**Mr Mammoliti:** It's called grass-root politicking. It's called grass-root decision-making, something that we're proud of in terms of commitment and—

**The Acting Speaker:** Thank you. Are there any other members who wish to participate? The member for Ottawa East.

**Mr Bernard Grandmaître (Ottawa East):** I want to make it very, very clear: We are not supposed to criticize the government in the opposition. We're very sorry; we apologize. But I think the member for Yorkview must remember that it is our responsibility to help the government to improve what is before us, and this is exactly what the opposition is trying to do. We'll be talking very shortly on Bill 7, a very important bill.

But the question asked by the member for Yorkview I think needs to be answered. This government has been going around this province on Bill 7 asking people, asking municipalities, what they thought of it, what they think of it today, and after four, five, six months of consultation, they come back in this House and introduce a bill that is not acceptable. I agree with the member that most municipalities say that it is a good bill, but it is a start. It's not a complete bill for the simple reason that municipalities are asking themselves who will pay the shot, and that's very important. Is it a downloading process? If it is downloading on municipal governments, they will not accept Bill 7 as it is.

It's a good move, but it's an incomplete bill which will have to be improved in the months to come if we expect municipalities to respect Bill 7. Again, we must apologize to the member for Yorkview. We didn't mean to criticize you; we're simply trying to help you.

**The Acting Speaker:** Are there any other members who wish to participate? The member for Etobicoke West.

**Mr Stockwell:** I just want to be clear to the members in the House that this is not unanimous; it will not be a unanimous vote in support of this piece of legislation. The member opposite from Yorkview outlines the good things about this piece of legislation. I think that some points were made by the member for Don Mills, some he said were good about this and others that weren't so good. The ones that weren't so good are the ones that concern me specifically.

I speak about the cost and the cost-sharing. It's not a long-term commitment. It's a very short-term horizon that this provincial government will get into with respect to the 3Rs blue box program. That money, as I learned in Metropolitan Toronto council, gets cut off. The responsibilities for reduce, reuse and recycle then get foisted on to local municipalities and there they don't have a lot of capacity to deal with the increasing costs of recycling, I say to the member for Yorkview.

**Mr Ron Eddy (Brant-Haldimand):** They have none.

**Mr Stockwell:** They have none, says the member for Brant-Haldimand. It's very true. In a lot of instances they don't have any capacity to see the program grow.

Furthermore, and I know I'm out on a limb on this, because I doubt very many members in this House would agree with me, I will say the 3Rs program, the blue box system, is very, very expensive and an inefficient use of taxpayers' money. If we truly wanted to go ahead and look for reasonable and concrete ways to recycle or change the way we deal with garbage, we could do so by investigation and by spending this money alternatively, which will be excessive, that can find real ways to reduce, reuse and recycle. To collect the blue box per tonne is hundreds of dollars per tonne more expensive than collecting it just in a simple curbside pickup.

I'm going to speak to this. I'll give you my concerns in order and I will speak to it like I spoke to it 10 years ago or maybe eight years ago when it was introduced municipally and I said you'd be better off spending the money looking for alternative ways of recycling than just putting a blue box system in that only makes people feel good but doesn't solve the problem.

**The Acting Speaker:** Any other members wishing to participate?

**Mr David Tilson (Dufferin-Peel):** I have just a few comments with respect to the presentation by the member for Don Mills. This legislation, as the member has said, will provide municipalities with the legislative jurisdiction to implement programs and strategies geared towards waste reduction. I think, as has been said, many of the municipalities and private enterprise individuals have supported those concepts after amendments that were made, I believe, in the general government committee or one of the committees this summer.

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The difficulty and the major issue with respect to this bill is that we don't know how this is going to be paid for. We have no idea. We're going to be telling the municipalities to get into various types of recycling programs. We're not going to allow them to even discuss incineration because the former Minister of the Environment, as confirmed by the present Minister of Environment, has said: "We can't get into incineration. We won't even allow it to be debated."

So we're restricting municipalities to do certain things and we're not telling them how they're going to pay for it, which means perfectly well there are only two results that can happen: One, property taxes are going to have to go up because municipalities will be mandated to do certain things by provincial legislation; secondly, I suppose municipalities will be forced to get into user-pay, and they may well get into user-pay. Some of them are already getting into it, probably



illegally at this stage, but there's no question that that appears to be on the horizon. The question is, of course, how high are those user-pay systems going to be?

**Mr Stockwell:** You can't afford to put your garbage out.

**Mr Tilson:** Exactly. It's going to get completely unmanageable. This government is piling regulation after regulation, downloading policy after policy on to the municipalities and yet they're not offering any financial assistance and they're not even giving a hint as to how in the world this legislation's going to be paid for.

**The Acting Speaker:** The member for Don Mills has two minutes to reply.

**Mr David Johnson:** I thank the members for Dufferin-Peel and Etobicoke West. I think they've encapsulated my major concerns and they've done so in two minutes. It took me a lot longer than that. I also thank the member for Ottawa East for responding on my behalf to the member for Yorkview—I thank him as well, but I'm sorry if I hurt his feelings.

**Mr Mammoliti:** I'll get over it.

**Mr David Johnson:** He'll get over it. I did mention that in the final analysis the city of North York was satisfied in the first instance, but I was delighted that at my recommendation, actually, the city of North York was invited to attend and participate in the first instance, and in the first instance the bill as it came forward was not acceptable to the city of North York, nor to a number of other municipalities. But yes, we did straighten it out, and in the final analysis they went away happy.

But the nub of the concern again is the cost. The provincial government is establishing very costly programs in the area of waste management: blue box programs, waste reduction programs, targets—50% waste reduction by the year 2000. These are very expensive programs and there's not an accounting of the cost that's associated with them.

What is happening is the costs are being downloaded, first on to the regions, and the regions are downloading because they are being allowed to charge a fee for every tonne to the local municipalities. So the costs are going down from the province to the regions down to the local municipalities, who then have to raise the money either through a property tax system or through a user-pay system. If it's the user-pay system, guess who pays? It's the people of this province. Every bag they put out, they're going to have to pay a significant amount, every home owner and tenant. I think we should just be up front with those costs, and that's what I'm saying.

**The Acting Speaker:** Thank you to the member for Don Mills. Are there are any other members who wish to participate in the debate? Any other members? The member for Ottawa East.

**Mr Grandmaitre:** I think this is a very important bill, maybe one of the most important bills that we've had to deal with since the new session. I just want to remind members how important it is, because it is amending a number of statutes of the province of Ontario. It amends the Municipal Act, the Regional Municipalities Act, 13 regional acts and the Municipal Affairs Act.

I think it's very important that members of this House and also people listening in know what this bill is all about.

The Municipal Act will be amended to establish and operate facilities for all waste management activities, reducing, reusing, recycling and waste disposal, require source separation of waste and recyclable materials, allow municipalities to establish user fees, and I'll be addressing the user fees issue later on, also enter property to conduct surveys and soil tests for waste management purposes and increase fine levels, which I agree with, for breaching municipal waste bylaws, and market products for waste materials.

At the present time, most of our municipalities that engage in waste management and especially in the 3Rs program do not have provincial authority to do so. They have done so for the simple reason that AMO and our municipalities in the province of Ontario have recognized the need for their participation if we are to attain the magic percentage of 50% by the year 2000.

I remember that when the former Minister of the Environment, Mr Bradley, the member for St Catharines, introduced this very important program, the blue box program, in the province of Ontario, at first it wasn't too well accepted for the simple reason that, as pointed out by my colleague the member for Don Mills, it was a very expensive program. But I think municipalities in general have done a very good job and we have reached the 25% magic number.

Having said that municipalities have done a good job, now we have reached the second stage of waste management in the province of Ontario. It is true that regional municipalities, the upper-tier level of local government, have asked the minister of Environment and Energy and have asked the provincial government to provide them with, give them the tools, the enabling legislation so that we can proceed with the second stage, and that is to attain the magic number of 50%.

But again let's go back to the cost of this needed program. On April 29, 1993, the Minister of Environment announced the government's intention to pass the new 3Rs regulations. These waste reduction regulations emanate out of the famous Bill 143, the Waste Management Act. Since that time, municipalities are still waiting for this government to respond to the needs of the municipalities wanting to engage and to put in place a bylaw to respect Bill 7. This government is reneging on its former commitment to helping municipalities,

providing municipalities with adequate funding.

When the blue box program was first instituted, a grant program was provided—

**Mr Stockwell:** Point of order, Madam Speaker: I think in this instance there should be a quorum to hear the salient points of view offered by the member for Ottawa East.

**The Acting Speaker:** Would the clerk please determine if a quorum is present.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

1620

**The Acting Speaker:** A quorum is now present. Would the member for Ottawa East resume the floor.

**Mr Grandmaître:** As I was saying, when the blue box program was first introduced and accepted by most of our municipalities, municipalities were encouraged for the simple reason that the provincial government was providing them with adequate funding. But now, in the second stage of the waste management program, I think it's very important that this government should be up front. Who will pay for the next phase of waste management in the province of Ontario? The Association of Municipalities of Ontario has told the minister and the government that the taxpayers in its municipalities are sick and tired of increasing the municipal tax load while the provincial government is trying to reduce its tax load. This is called, as you know, downloading.

Also, this bill permits municipalities to charge user fees. This tells me that giving municipalities that option means that the government is not willing to provide them with adequate funding. This is why most municipalities—I think 75% of our municipalities at the present time are taking advantage of the 3Rs program, the blue box program—will start charging user fees. I don't think it's right to download on municipalities. I think this government should be providing or investing more dollars in what we're collecting at the curbside.

As pointed out by the member for Don Mills, we must invest in those plants if we want to attain the 50% magic number. This bill applies to all municipalities with a population of over 5,000. I know that in some municipalities, in northern Ontario, for example, it will be very difficult, and this bill does make an exception for northern Ontario municipalities. They have until 1995 to join the program.

But we know that this program will not be sustainable in 1993 and that user fees will be used. I know of a municipality in my own regional municipality that is thinking of introducing a user fee bylaw, charging \$1 per bag, for anything in excess of three bags, if I'm not mistaken. I think this is wrong, because we're not taking into consideration families with three, maybe four children, where more waste is being produced.

Also, the private sector should be more involved, especially in its packaging. I know the minister promised us some months ago that he's working very closely with the private sector, but that's all we hear, that they're working with the private sector, but not too much about success.

I think that until we resolve the cost of this program municipalities will join in, but when the grants for the blue box program come to an end, and I am told that within three years this program will no longer exist, municipalities will want to discontinue the 3Rs program for the simple reason that they won't be able to afford to do what this bill is doing. We have to find alternative ways to deal with our waste. It's okay to say that on that specific site we will accept a dump site, but I think we have to use alternative ways to recycle the materials being picked up at the curbs.

Also, I think the city or town of Kirkland Lake has made a genuine offer to this government. I realize that the government is not interested in transporting waste from Metro to Kirkland Lake, but at the same time, our dump sites, our waste sites, are filling very rapidly and if we don't move, if this government doesn't move rapidly, then I don't know what will happen with our waste. A lot of people are saying, "If they're going to use user fees, there's only one way I'm going to get rid of my extra two or three bags: That's to get rid of it." Especially in rural Ontario, where homes are not built too closely together, you will find garbage or waste on our roadsides. This is not the purpose of this bill, but if municipalities are given the power to use user fees, we will find waste on our roadsides. Again, this is not the purpose of this bill.

I was reading with great interest what will happen in my own regional municipality of Ottawa-Carleton in Bill 7. Sections 208.1 to 208.4 of the Municipal Act will be amended, and the regional act, and it says, "the regional corporation may contract with a local or regional municipality in Ontario or Quebec." I find this exception unacceptable for my regional municipality when Metro is prevented from having the same deal as Ottawa-Carleton.

What I'm saying is that there are unacceptable exceptions in Bill 7. If it's good enough for Ottawa-Carleton, I think it should be at least considered outside the regional municipality of Ottawa-Carleton. Again, especially in the province of Quebec, you will recall only a few weeks ago the Premier talked about the possibility of closing our borders to the province of Quebec. Now we're saying that Ottawa-Carleton can have a site, maybe, in the province of Quebec. In the regional municipality of Ottawa-Carleton, it's very easy to cross the bridge and use a dump site in the province of Quebec.

I'm just wondering about the proposal made—I didn't say "legislation"—by the Premier in this House about



the possibility of closing our barriers or closing our bridges to prevent Quebec construction workers to have access to our jobs in the province of Ontario while Ontarians are prevented from having the same access to Quebec jobs.

I'm just wondering about that section, and I would like the minister to address clause 3.1(b). That's the amendment to the Regional Municipality of Ottawa-Carleton Act, the amendment for the regional municipality of Ottawa-Carleton. I think the minister should take a serious look. If it's permitted for my region to do business with the province of Quebec, with the introduction in this House of possible restrictions, I don't think it would be possible to deal with the province of Quebec, especially clause (b).

1630

I didn't want to take too much time, but I think the most important aspect of this bill is the cost involved. You've heard me say that a lot of our municipalities, maybe 75%, will not be able—

**Mr Stockwell:** On a point of order, Madam Speaker: This is an excellent speech, and I'd like to see if there is a quorum around.

**The Acting Speaker:** Would the Clerk please determine if a quorum is present.

**Senior Clerk Assistant and Clerk of Journals:** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**The Deputy Speaker (Mr Gilles E. Morin):** A quorum is now present.

**Mr Grandmaître:** As I was saying, 75% of our municipalities will not be able to afford this program three years down the road if additional grants or subsidies or more money are involved in the 3Rs program.

I would also say that the Association of Municipalities of Ontario is completely on side on this one. I do have a news release dated April 29, the very same day the 3Rs regulations were introduced in the House. I have a news release from the president of AMO saying, "However, we are very concerned about the introduction of mandatory 3Rs regulations without ensuring that there is a fair and sustainable means of financing these initiatives." Again, AMO is on side. They want to do their part. I think most municipalities have done a good job in waste management, but they want to continue the program, with the assistance of the provincial government. "This is even more crucial, given the financial pressures on the property tax base resulting from the recession and the recent financial cuts to municipalities." This is from Joe Mavrinnac, president of AMO.

You will recall that with the social contract, our 834 municipalities were directly affected, and with the expenditure control, I understand that the government has to cut back. They have to cut back on their own expenditures. But at the same time, I think that closer

consultation with municipalities is very important, because you know as well as I do that whenever the federal government cuts back on its transfer payments, the provincial government does the very same thing to the local government or municipalities. I think we need to understand each other. Municipalities need to know what the future holds for them before they embark on this worthwhile project.

Also, another news release by AMO: "We support the province's legislation, which represents a close fit with the recommendations AMO has made in the past for additional municipal legislative authority for waste management activities."

Again, I think AMO is very favourable, but more needs to be done. When I say more needs to be done, I mean alternative ways of dealing with our waste in the province of Ontario need to be examined. More investment has to be made in the province of Ontario to meet all of the municipal waste.

I think this government should come clean. The minister should be in the House and tell us exactly what the 3Rs program regulations are all about and whether more moneys will be invested in this program.

I will end by saying that until we hear from the minister, if he can answer all of our questions, we will support this bill in principle. As pointed out, the minister will not receive full support on this bill, but my party will accept or support this bill in principle until all of our answers are responded to.

**The Deputy Speaker:** Questions or comments?

**Mr Eddy:** The member for Ottawa East drew attention to some matters that I just want to comment on briefly. One was to note how many municipalities have proceeded to carry out recycling programs and how successful they've been. That's very true.

Second was the cost of recycling programs and worry about the future. Although he stated that in three years' time, the recycling programs would be endangered probably in many municipalities, I have a strong feeling that many municipalities will be facing that much sooner through several provincial measures: the social contract, the expenditure control program, certain programs that have been downloading to municipalities, and the fact that unpaid taxes in municipalities are indeed at an all-time high, which certainly affects the financing of municipal programs.

The final concern I noted was the disposal of garbage in rural areas. It's one thing to dispose of used tires and bagged garbage and that sort of thing. It's a nuisance and it's a cost, but it's not as bad because you can see it. I have a further serious concern about the unseen types of garbage that are dumped along rural roads and in fields. I'm thinking of hazardous liquid waste. This is occurring in some places and it's very serious, and it's very serious when you think of our groundwater. Ontario has the purest water in the world and it's being

contaminated in certain areas. I'm afraid this is one of the causes, the illegal disposal of hazardous liquid waste.

**Mr David Johnson:** I'm happy to stand and comment on the member for Ottawa East as well. In terms of the issue of the tires which has been raised, I mentioned in my speech that a friend of mine who owns a property north of Metro had some 200 tires dumped on his property because, as we know, it's very difficult to get rid of tires in the province of Ontario. There are some 10 million tires that are apparently discarded annually in the province of Ontario, and about 40% of them are actually processed. Some of them are recapped. Some of them are sent to Third World countries where they actually carry on using them, because the tires still have some life left in them. But some 60% of the 10 million tires, which I guess is six million tires a year, are piling up in various locations around the province of Ontario.

I think the member for Ottawa East has done us a service to bring this to our attention. I don't recall him mentioning the fact that it was the Liberal government, though, and perhaps he may want to comment on this in his closing comments, that brought in the tire tax—I guess that's going to be later—of \$5 a tire, to look into this problem, to do research, to solve this problem. They collected from the people of the province of Ontario over \$100 million. Well over \$100 million was collected, and a very small component of that, I think maybe \$20 million, was spent.

1640

I was encouraged, though, that just within the last week there was a proposal to fund a project in the city of Toronto down near the lakeshore in terms of crumbing the tires, as they call it, and recycling the steel and rubber components, but there's a great deal of doubt if that will transpire. The member may want to comment on the tire tax that was introduced by the Liberal government.

**The Deputy Speaker:** Any further debate? Any further questions or comments? The member for Dufferin-Peel.

**Mr Tilson:** Just a few comments. Obviously the recurring issue that develops throughout this debate is the issue of cost. I think we all remember back in April, and I made a statement in the House this morning, how the Minister of Environment stood up and announced that he was going to be introducing regulations for the municipalities to proceed with, and these regulations would take place in August. It's now the middle of October and we still haven't seen these regulations.

These regulations would require such things as blue box recycling, leaf and yard waste composting and home composting programs for all municipalities with a population greater than 5,000. Then it went on to a number of other things. It talked about annually updated

waste audits, waste reduction work plans and recycling programs for large industrial, commercial and institutional waste generators.

The point is that when you read all these things the Minister of Environment is doing, it all sounds wonderful. He talks about packaging audits updated for every two years and packaging reduction work plans for Ontario manufacturers with more than 100 full-time employees or their part-time equivalents in food, beverage, paper and allied products and chemical products.

Municipalities are ready to do things. The difficulty is, as with this legislation, that they don't know how they're going to pay for it. The government promised a financial paper I believe two years ago and it still hasn't been forthcoming. So they're passing all this legislation, they're dumping all this stuff on to the municipalities, they're telling municipalities to do all of these things, and yet they won't indicate to the municipalities how they're going to pay for it.

All of the speakers are standing in their place and are raising this concern, the issue of cost. There's no question that different groups came before the general government committee and supported it, but all of them have that one fear: How is it going to be paid for?

**The Deputy Speaker:** Any further questions or comments? The member for Ottawa East, you have two minutes to reply.

**Mr Grandmaître:** I think everybody is on the same frequency. As the member just pointed out, the cost is the ticket item of this bill, and to my colleague the member for Don Mills who's asking me who brought in the \$5 tire tax—

**Mr Stockwell:** Yes, who brought that in?

**Mr Grandmaître:** —it was a Liberal government. What we are trying to tell the government today is to use our experience and do better. This is what I told the member for Yorkview, "Don't be concerned about the opposition; we are trying to help the government," and this is what I'm trying to do. I'm trying to help the government to not repeat the same mistakes.

This tax was introduced back in 1988, if I'm not mistaken, or 1989, when I was Minister of Revenue, and I'm not sorry for it. I think it was the right tax at the right time. But the problem is that the plants, the alternative ways that I mentioned in my speech of dealing with the 3Rs, were never developed. I think if we had done this back in 1989 and 1990 and 1991, municipalities and members of this House would willingly accept Bill 7 and municipalities would not question the cost of this program two or three years down the road.

I'm not shying away from what the Liberal government did in the past. I think we did it openly and honestly and we didn't hide any factors.



**The Deputy Speaker:** Any further debate? The member for Dufferin-Peel.

**Mr Tilson:** I'd like to add a few comments with respect to Bill 7. I did attend some of the sessions, I believe, with the general government committee and there did indicate to be some support after a number of amendments were passed, and the municipalities, AMO, and some of the private carriers indicated their support for the legislation.

This legislation, as the previous speaker, the member for Ottawa East, indicated, contains amendments to a number of pieces of legislation: the Municipal Act, the Regional Municipalities Act, 13 regional acts and the Municipal Affairs Act.

As I believe I indicated before in one of my responses to one of the previous speakers, this legislation will provide municipalities with the legislative authority to implement programs and strategies geared towards waste reduction. All of that is very admirable, and I got the feeling from the groups that came before the committee that, generally speaking, with some of exceptions, most of which I will be referring to in my comments, the issue of how it's going to be paid for, it was supported.

There was one letter that was drawn to my attention which I'm very surprised that the government hasn't referred to, for some reason. Normally, the Canadian Bar Association makes presentations at some of these committees and gives excellent presentations. I don't believe they attended at the committee. I don't think they made a presentation at the committee, oral or in writing, but there was a letter which was written on August 16 to the Minister of Municipal Affairs from the Canadian Bar Association, environmental law section. This letter put forward a number of technical issues which I would like to draw to the attention of the House before this bill is passed.

These are questions that probably should be looked at in some detail. I won't read the letter, but I will refer to it extensively. The Minister of Municipal Affairs certainly has the letter, as does the Minister of Environment and Energy, and if any members wish it, I would certainly make it available to them. I don't believe this letter came to the attention of the committee.

As they indicate, the amendments to these various pieces of legislation that I just referred to are supported in that they provide municipalities with powers that previously had been assumed but were always open to legal challenges. That seems to be the general tenor of Bill 7, and for that reason I think the majority of members in this House, on both sides, with few exceptions, will be supporting this legislation.

I'm referring to the letter periodically. I will be reading from various sections because I think it's important that it be drawn to the attention of the members of this House. "These explicit powers provided for

in the bill include the establishment and operation of 3R facilities, the processing of waste and the use of grant incentives and fees to achieve policy goals."

Again the whole emphasis is with respect to the municipalities, and I can't express the concern that I have in two or three responses. I don't understand why the government is getting into this thing, this process of passing on these requirements to the municipalities, all of which are good policies—I don't think any of us are challenging that—but we're asking the municipalities to implement things when we don't have any idea as to the funding of them. We don't know the percentage of funds that are going to come from the province, what emphasis is going to be put on the municipalities to pay for.

The previous speakers have indicated that many of these processes are very expensive. I think that before municipalities get into it, they're entitled to know the financial process, so I would like to read three points. This, as I indicated, is from the environmental law and municipal law sections of the Canadian Bar Association—Ontario:

"There is a potential overlap in the waste management powers between the upper- and lower-tier municipalities. For example, a regional municipality could take over recycling while an area municipality maintains control of collection. There is also potential for conflict to the extent that collection includes separation of recyclable materials."

#### 1650

There's no question that this issue of jurisdiction between different tiers of a municipality is going to be of concern, particularly when you're talking different ways of disposing of waste.

The second area of general concern was:

"The bill does not allow for flow control of waste," and this was referred to in the presentation by the member for Don Mills, "from the private sector. There is nothing that would allow a municipality to regulate collection from most private sources or processing or disposal at existing private facilities. This leaves a gap in the extent to which municipalities are able to plan for the total waste in the municipality."

The third point is the point that I am concerned with and on which almost every speaker to date has expressed a concern. That is, again to quote from the letter, "There is still some considerable doubt as to how waste management activities are to be funded, particularly in these times of fiscal restraint."

We've got social contracts, we've got cutbacks in funds that are going to the transfer people, the municipalities, the school boards, and yet this bill is going to be saying that municipalities "must" do certain things, they "must" do them, and I think they will have the support of the public until the public finds out, particu-

larly the property taxpayer, how it's going to be paid for.

If I watch the record of this government, that is what this government is going to do. I would predict, and I'm saying this with due respect—if someone can challenge me, that's great, but watching the record of this government, this whole process of funding it will be dumped on to the municipality, and that will have grave consequences with respect to the property taxpayers who have had it up to here as far as property taxes are concerned. They simply cannot sustain any further tax increases.

Yes, the municipalities will be forced to get into a user-pay type of system, a cost per bag or some other type of thing. The member for Don Mills referred to such things as product stewardship and packaging industry, taxing those people and that sort of thing, but the two main things are going to be taxing the property taxpayer and the implementation of some user-pay type of process. Not knowing the implications of that, the general public will be in support of this bill until it finds out after it's been passed how it's going to be paid for.

It's sort of like Bill 143. Bill 143 went around this province and there really wasn't much ado. Yes, there were some public hearings all around the province and—

**Mr Perruzza:** Which one was that?

**Mr Tilson:** Well, it was the most dastardly piece of legislation outside of Bill 40 that your government has ever passed. It created the three superdumps of this province, and with very little public input. I can tell you that the public—

**Mr Mammoliti:** Super what?

**Mr Tilson:** Superdump, George; that's what it is. It's a superdump in all of the three regions of this province, in the greater Toronto area. If the people of this province knew the implications of Bill 143, I can tell you that if they knew the lists, 54 or 57 lists originally, all heck would have broken loose at those terms. It would have been worse than fireworks.

The problem is similar in this bill. I saw very little and I wasn't at all at the committee meetings, but there was very little opposition to this bill at the hearings, particularly after some of the amendments went through. But I think once the municipalities and the property taxpayer find out how it's going to be paid for, that's when it's going to be very difficult. Again I would recommend they go through clause-by-clause on specific sections.

I'd like to refer to some of the clause-by-clause comments that they've gone to the trouble of—it is strange. The ministers received this letter on August 16 and for some unearthly reason it didn't reach—the two ministers, the Minister of Municipal Affairs and the Minister of Environment and Energy, chose to keep it

in their own little files and chose not to release it to the committee, which I believe was in the process of discussing this particular bill at the time the ministers had this letter.

**Mr James J. Bradley (St Catharines):** It was on the assistant's desk.

**Mr Tilson:** That's probably exactly what happened. In any event, I'd like to refer to several concerns that the Canadian Bar Association referred to. They referred to subsection 208.3(5), if I can just find that—just bear with me—this is the section that says, "The municipal board may, as a condition to giving any approval, impose such restrictions and conditions respecting the acquisition or use of the land as the municipal board considers necessary."

The question was, what is the rationale for requiring a public hearing for the acquisition of land? Because that's what this section's going to be doing. There must be a public hearing. There isn't for anything else. Why is there for this?

The other question they have is that when they refer to the conditions and restrictions, what sort of conditions and restrictions are being contemplated?

It's unfortunate that the committee wasn't able to ask the ministry those questions, because it may well have been that appropriate amendments may have been put forward. Now these are being put forward, which are legal, technical amendments, albeit—and I'll agree they sound technical unless you know this stuff backwards. The problem as I see it is that if you pass the legislation in its present form, without having reviewed these technical changes, it is going to lead to legal problems as we go on with respect to the municipalities. That gives me concern because that means more property tax dollars being spent.

Subsections 208.5(1) and (5): They suggested, "It would be less confusing if these sections were combined or followed after each another." Again, without reading the section, I realize that this does sound technical, but it's something that certainly the ministry should be looking at—these and other amendments—before this bill is passed.

One of the sections, 208.8, talks about damage. There's a subsection in this section that talks about entry and inspection of property by municipalities, and it says: "The local municipality shall provide compensation for any damages caused by inspection."

The Canadian Bar Association says, "What constitutes damage?" A very good question. "Does damage include economic loss? If damage is caused by inspection, what is the procedure for obtaining compensation? Who decides what the compensation will be? There is no provision for appealing fees, rules, etc. Should there be one? Clarification is required about the application of this provision to private sector facilities."



I am not going to go any further into this letter, a four-page letter of extensive comments on a number of sections in the bill, except to say that when you pass this stuff and it does become rather clear that there's going to be litigation down the line, that people are going to be proceeding to the courts—if you're going to pass legislation, make sure it's right in the first place.

Both ministers had this letter before third reading. They had this letter while the committee was debating clause by clause and in fact undertaking hearings. So it is a very strange thing that this letter wasn't drawn to the attention of the committee, and in fact wasn't drawn to the attention of members of this House before third reading came in.

It may well have been that a committee-of-the-whole process might have resolved many of these difficulties, very serious concerns put forward by the Canadian Bar Association. That's one group that wasn't listened to.

1700

With respect to the issue of the local municipalities dealing with things, that's what this legislation is going to do. The legislation gives the municipalities the jurisdiction to implement programs and strategies geared towards waste reduction. It's contradictory when this government retains David Crombie to go around and talk to the municipalities now—I assume his consultations are over with in the GTA—about who's going to administer these superdumps in the three regions. It's a very strange process to be going about that now, after going through a very expensive process which to date has cost \$33 million, as has been spent by the Interim Waste Authority, to decide who's going to administer these things, who's going to run them: Are the municipalities going to do it? Do they want to do it? Presumably if they do, they're going to have to assume the debt, and what are the implications of all of that?

I appreciate your allowing me to veer a little bit from the topic, Mr Speaker.

On the one hand, through this bill, Bill 7, the government is saying, "Well, municipalities, you're going to be responsible for all of these things," but, "You're not going to be allowed to get into that subject. We're going to decree what is going to go on there. We're not going to allow you to get into the topic of incineration."

Let's say that in a particular municipality there's no land available; there's no suitable land available or no land available period with respect to disposal of waste in a landfill site. They're not going to be allowed to debate or to inquire or to discuss the whole subject of incineration. This government has said, "No, you can't do that."

I hope members of this place heard the presentation that was given by the mayor of Vaughan and one of her councillors and I think a chair of one of their rate-payers' groups this morning on the problems with respect to the Keele Valley site and the three sites just

to the northwest of it and the Seeley and Arnill proposal and all of that. I think there was a question in the House today on that topic.

We're saying on the one hand that we're going to give you the right to get into the 3Rs and do all these things; that's where it should be. Yet in other things we're not even going to allow you to debate it. We're not going to allow you to get into the whole issue of incineration. We're going to send Mr Crombie around to ask the municipalities: "What do you want to do? Is there going to be a permanent waste authority? Are the municipalities going to run it? Is the province going to run it? Is there going to be a partnership?"

The other issue, of course, which the municipalities—if I read this bill, it leaves open the whole issue of waste export. The former Minister of the Environment and the current Minister of Environment and Energy has said you can't have long rail haul to Kirkland Lake. Each area must get rid of its own garbage. The difficulty is, I suppose, if you looked at one specific municipality—well, I represent the north half of the region of Peel, and the bulk of the population lives in the south end. So the proposal by this government is: "Fine, we're going to take all the garbage that's down there. We're not going to allow incineration. We're going to dump it on the farm lands in the north part of the region of Peel." The same process goes with the other regions. We're going to put it on farm lands.

The whole process of consultations has been watered down. Yes, the IWA has had little hearings where people have come and spoken to Mr McIntyre and his colleagues, but there really hasn't been the consultation process that this government boasts about. It's been a were, if you knew all the facts—if we knew all the facts, would we be voting on it the way we are? Yes, you look at all the wonderful things that municipalities can do, and I started to list off some of them from this. I made a statement in the House this morning, where the Minister of Environment said Ontario is going to be closer to its minimum 50% waste diversion target by the year 2000, a very admirable process, a very admirable target to set. At that time, in April, he said these regulations will come into effect in August. Of course here it is the middle of October, and municipalities—some of the municipalities, of course, have got into certain things illegally. Some of them have held back. They know exactly what the regulations are going to be doing but they've held back because they don't know whether they're going to be coming out or not. Now two and half months have gone by since these regulations were to come out.

So you read these things, and this is what the municipalities are going to have to do. I've read some of this before in my responses, but I'm going to read them again, because I think they are admirable. We all agree they're very admirable.

"Blue box recycling, leaf and yard waste composting and home composting programs for all municipalities with a population greater than 5,000.

"Annually updated waste audits, waste reduction work plans and recycling programs for large industrial, commercial and institutional waste generators. Those affected include large construction and demolition projects, retail complexes, hospitals, schools, hotels and motels, restaurants and manufacturing establishments."

This is a press release of April 29 that the Minister of Energy announced.

"Packaging audits, updated every two years, and packaging reduction work plans for Ontario manufacturers with more than 100 full-time employees or their part-time equivalent in food, beverage, paper and allied products and chemical products."

Finally, "In addition, approvals for recycling facilities will be streamlined."

And then the minister in his press release said, "The regulations will become law in August 1993, but most of the provisions will begin to apply six to 12 months later."

How can anybody disagree with that? I think every person in this place and the members of the public think these are wonderful things.

It still comes back to the same question that was asked when we had Bill 143: Produce the lists. Tell us what you're going to be doing with the garbage in the GTA. Don't give us some of the information now and, "Pass the legislation and then we'll tell you what we're going to do. Then we'll announce the 57 sites," in sort of a teasing function which will be broken down to, what, 15 and finally down to the final three sites, and who knows when that's going to take place? The minister said a week or so ago that it was going to take place in autumn, which means, I suppose, up to December 20. I suspect that is realistically when those sites are going to be chosen, because they have no idea. They're still debating whether they're going to have the Armstrong site up north of the Keele site. They're still debating that.

The same questions are being asked with respect to Bill 7. The municipalities are going to be mandated to do certain things. A financial paper was promised two years ago, I believe, some time ago, on this topic. It's been requested by the municipalities. The municipalities want to know how they're going to implement these matters. The member for Don Mills, our critic, spent a considerable amount of time in his presentation speculating as to how it's going to be financed.

The fear we all have is that—do you remember when you were in opposition? Do you remember how you used to criticize the Liberal government for its downloading on to municipalities because of the unbelievable property tax increases? This is going to be just

a dandy, because this legislation is going to be passed, the regulations will come forward, and then some time later they'll tell us—when I say "they," the New Democratic government—how it's going to be paid for. I'll tell you, I fear for all of you out there who hold properties and are paying outrageous property taxes now as a result of policies that have been put forward by the Liberal government in the past and now by the New Democratic government. This bill, which has, in general, support of the people of this province, and I suspect the majority of our caucus will be supporting Bill 7—I think, how can you not support these principles? The difficulty is, we're putting something forward, we're mandating the municipalities, we're clearing up areas that were uncertain before as to the jurisdiction of certain municipalities, and yet it is unclear as to who in the world is going to pay for it. The province is broke.

1710

Mr Laughren has informed us that he may be a little short as far as revenue is concerned. He's indicated that, so things are getting tight. We've got social contracts, we've got laying off people all over the place, in the government we've got job layoffs, we've got Rae days. We've got some real problems, so I can tell you, the provincial government is not going to be giving the funding to the municipalities that the municipalities expect. So where is the money going to come from? That's the question which I will repeat over and over, and I can almost promise you that if I have an opportunity to make a response, I will be asking that same question again.

As you're voting for this bill, ask yourself this question, members of the government: Where are the municipalities going to get the funding to implement these wonderful policies? And they are wonderful policies, these recycling policies. We have to get rid of our waste somehow; very difficult decisions. How is it going to be paid for, particularly at the same time when you're restricting the municipalities to even debate other areas? The whole issue of tires, that wonderful subject that was created by the Liberal government, and it really was, and now your current minister has said you can't bury them, you can't burn them and you can't ship them anywhere. I really fear the whole issue of tires needs to be resolved and it's not been. Is that policy going to be dumped on municipalities? Probably will be.

The whole issue of incineration is being left vague. As I have indicated, both ministers of the Environment for this government have said there'll be no new incineration plants allowed. That may or may not be a good decision. I'd like to debate—

**Hon David S. Cooke (Minister of Education and Training):** You're debating it right now.

**Mr Tilson:** Well, I'd like to debate that topic more in this House, and yet this government isn't allowing us



to debate it. And yet we had the mayor of Vaughan come to a press conference this morning and tell us the fear as to what's going to happen to the water in this province, particularly when you look at the area around the Keele Valley site and the other superdump that you're going to create just northwest of it; the drying up of rivers. You're building dumps on top of aquifers. You're building a dump on top of a potential aquifer in my own riding of Caledon.

I'll tell you, these concerns you're dumping, to use a play on words, on the municipalities are inexcusable when you're not revealing all of the information. So I close. I thank the members for the opportunity for allowing me to give my concerns. It's too bad, however, that we're going to vote on a bill without seeing the entire picture.

**The Deputy Speaker:** Questions or comments? The member for St Catharines.

**Mr Bradley:** In commenting on the bill, I would like to reiterate a fact that the member has brought before the House, and that is the fact that what you require to implement any legislation in this province is the necessary financial resources. We have seen some rather interesting legislation coming forward. I remember a couple of weeks ago we had the so-called Environmental Bill of Rights, which had the same name as it started out with but by the time it reached this House it was hardly an environmental bill of rights; it was substantially changed.

But what I said on that occasion applies to this particular piece of legislation, and the member has appropriately suggested this, and that is, if you don't provide the municipalities, those who have to implement the provisions of this bill, the necessary resources to do so, then of course we're not going to have legislation that is going to work.

**Hon Mr Cooke:** A first: a defender of the municipalities, the first time Jim has ever done this.

**Mr Bradley:** The member for Riverside in Windsor, where the NDP is having a very difficult time, although I know Steve Langdon, the good friend of the Premier of the province of Ontario, may be helped today by the Premier's deathbed repentance in the field of free trade, where the Premier has intervened in the middle of a campaign.

I do want to emphasize to all members of the government, particularly the members of the cabinet who are not directly involved in this issue or the members at large of the caucus, that what I'd like to see them do is put the necessary pressure on the Minister of Environment and most particularly on the Treasurer to ensure that there is adequate funding to implement the provisions of this legislation. If you do not have that, it's simply a piece of paper. If you have that adequate funding, it can work because there are some positive implications for this piece of legislation.

**Hon Mr Cooke:** Who is this speaking?

**Mr Bradley:** I know that the member for Riverside, who interjects, would agree entirely with me that that money is required.

**Hon Mr Cooke:** You have never defended municipalities in your life.

**Mr Bradley:** I love municipalities.

**Mr Allan K. McLean (Simcoe East):** I just want to compliment the member for Dufferin-Peel with regard to the remarks he's made here today. He's very knowledgeable about what he so forthrightly speaks about.

Bill 7 is of concern to a lot of people in this province. It's of concern to the people in my riding, because in Simcoe East when we look at the recycling, we look at the downloading on municipalities that's gone on and we look at site 41, which has cost millions and millions of dollars in this province to re-establish a landfill site. There are some 14 to 17 landfill sites in the county of Simcoe that are under their jurisdiction. The bill, the new county act, now has allowed any municipality to accept waste from another without going through the minister's approval.

When we look at the recycling with regard to tires that has taken place, when we look at the recycling that's going on with regard to plastics, people in my community are telling me they can't find a home for all the plastic that's there. The very important issue that the member has raised with regard to incineration has not thoroughly been addressed by this government. With regard to the rail haul, it has not been addressed other than, "No, no."

When we look at the whole aspect of municipal waste, the concern that the municipalities and the counties have with regard to the downloading, as the former speaker has just mentioned, is: Is the funding from the ministry going to be there to cover the costs that this government is putting on to the local municipalities? I can assure you that will not be the case. It will be the local municipalities that will be picking up the total cost along with the counties in order to fulfil a commitment that this government is laying on them.

**Mr David Johnson:** Just briefly, I'd like to commend the member for Dufferin-Peel. I think he's added a great deal to this debate. He's raised a number of issues, because of his background, that needed to be said. He particularly has introduced the concerns with regard to litigation, and I think if waste management had a middle name that middle name would be litigation. We've seen that in terms of attempting to find landfill sites. The member has pointed out that entry to various properties for inspection will be a problem. I think he has made an excellent point, one I believe should be investigated.

The member has also raised the concept of the running of the superdumps, as he calls them. These are

the three landfill sites that the Interim Waste Authority's attempting to find. I think the intention is that they be good for about 20 years and have about 30 million tonnes of capacity, as I recall.

He's raised an excellent point: Will the province run these superdumps? If it does, what sort of tipping fees will it require of the municipalities? Will they have what is called flow control? Will they demand that all waste, whether residential or collected by the private sector for the commercial, industrial and institutional sectors, be required to go into these superdumps and will it all be required to go in at the fee charged by the province? If so, what will be the impact on the municipalities and what will be the impact on the private sector?

If the municipalities are to run these superdumps, what charge will there be from the province to the municipalities? Will it again be in the form of a tipping fee or will it be some other sort of charge? If it's expected to cover the costs of the Interim Waste Authority, then unfortunately that expense could be quite high.

**The Deputy Speaker:** Any further questions or comments? The member for Dufferin-Peel has two minutes.

1720

**Mr Tilson:** I must confess that when I listened to this bill as it was first introduced and looked at the general intent, which was for municipalities to have the jurisdiction to deal with some of these problems, programs and strategies, which no question should be perhaps mandated by the province, and I submit will ultimately be paid for by the property landholder of this province, I then looked at what is going on today.

We have in this province, where the bulk of the population lives in the greater Toronto area—I hope I'm not offending too many people, but there's no question a substantial amount of the population of this province lives in this area—the waste issue being dealt with by the province, almost unilaterally, by its puppet, the Interim Waste Authority, which has spent to date about \$33 million and it has no idea where it's going to end. I've asked questions of the current Minister of Environment and he has no idea how the IWA is going to spend this money, where it's going to get the money or how much is going to be spent. They have no idea.

Just very briefly, there was a press release put out recently, on October 6, by a coalition called the Watershed Ecosystem Coalition. I recommend members of the House read this, because they talked about what the IWA is doing and how it's as if they put a blindfold on their heads and are just proceeding with respect to a whole process which should be dealt with by the municipalities, and yet the province and its puppet, the IWA, are blindly and recklessly and negligently spending the taxpayers' money on a process that should be

dealt with by the municipalities with all the experience the municipalities have.

**The Deputy Speaker:** Any further debate?

**Mr Eddy:** Thank you, Mr Speaker, for the opportunity to speak to Bill 7, An Act to amend certain Acts related to Municipalities concerning Waste Management. I think this is another example of the government running to catch up to the past, because indeed many municipalities are carrying out the responsibilities that will be permitted under the act.

I note, as has been mentioned before, that the Association of Municipalities of Ontario is very much in favour of the legislation, promoting it, supporting it, with an exception, concern about the funding. That's been mentioned several times today and cannot be overstressed, because the cost of the recycling programs is very high. They're going to be at the top of the list for serious cuts in forthcoming deliberation of municipal budgets, I feel, if not the coming year certainly the year afterwards, as many cuts and downloading of costs—and I've mentioned those before—continue, along with a very serious situation that many municipal councils find themselves in these days with tremendous amounts of unpaid taxes.

We note that Ontario Multi-Material Recycling Inc has said that the highest level of recycling in the world occurs in Ontario because of the blue box program. That's really good, because millions and millions of metric tonnes of materials have been diverted from landfill, so that allows the capacity to be available for later use. Since the blue box programs were started in 1986, more than 90% of the people who use them use them all the time, and that's a real advantage. However, there are many other items of waste that must be dealt with and should be dealt with very soon, because it is such a concern.

I just want to mention briefly, that many municipalities under 5,000 population have proceeded to participate in the blue box program, and I think that's a good thing. It's especially true in my own municipality, which is around 4,000. It was started many years ago at the insistence, I might say, of the members of the St George Women's Institute and the Blue Lake and Auburn Women's Institute, who made several presentations and had a letter-writing campaign and pushed the members of council to proceed. So, jointly, we did it with the town of Paris.

The town of Paris will be familiar indeed to the Minister of Environment and Energy, because the town of Paris has a very serious problem with the ministry. I would classify it as an unpaid bill. I have a letter from the mayor of the town of Paris, His Worship Jack Bawcutt, to the Premier, dated April 29, 1993:

"I am taking the liberty of writing to you directly on behalf of the residents of the town of Paris, and also on behalf of all the small municipalities in Ontario.



"My concern is that the Ministry of Environment has a policy that is unfair and unequitable, and indeed downright discriminatory to small municipalities which are not part of a region or so-called 'upper tier'.

"In order to obtain a temporary licence to continue utilizing its landfill site, prior to an application for expansion, the town of Paris was informed that it must undertake an environmental assessment study. This we did fully believing that we would be receiving funding assistance." It's my understanding that such funding was assured.

"We commenced our study in March 1992 and have been horrified at the cost of the project. In April 1993, we were advised by the Ministry of Environment that they would not be assisting us with any funding as their policy is only to assist upper-tier municipalities." The Waste Management Act allows counties to decide to go into waste management, but it does not force it to the upper tier. It's completely optional.

The letter goes on to say: "We find this very difficult to comprehend, particularly as for a number of years we have had a cooperative arrangement with the township of South Dumfries to receive their household waste into our landfill site.

"Mr Premier, I most sincerely request that you take time to look into this discriminatory situation and that you will be able to arrange for the Ministry of Environment to have a more equitable policy towards smaller municipalities.... I am enclosing a resolution of the council."

The reply came from the Minister of Environment; the Premier forwarded it to the minister for reply:

"The Premier has asked me to respond to your April 29, 1993, letter"—this was dated June 24, 1993—"and resolution on ministry funding policies for individual environmental assessment studies and studies under a waste management master plan.

"I assure you that I recognize the points you have raised in your letter to the Premier and understand the complexities of your region's waste management challenges. However, I believe that the Ministry of Environment and Energy funding policies for waste management planning studies are fair, fiscally responsible, practical and in accordance with the province's commitment to economic restraint.

"I cannot agree with your resolution suggesting that MOEE's funding policy is 'discriminatory' towards lower-tier municipalities. Indeed, ministry funding for the development of a 3Rs waste diversion strategy for five municipalities in Brant county supports the individual landfill environmental assessment study being conducted by the town of Paris."

I read those letters into the record to show you what can happen to municipalities. Local governments can be in the waste management business and in recycling

programs, and indeed many of them are. I think of the Bluewater Recycling committee, which serves a number of local municipalities and spreads over at least three counties—Middlesex, Huron and Lambton—working very well.

I cannot understand the viewpoint of the minister on this particular request and, indeed, assurance of funding. There are other lower-tier municipalities in the province that are in the same boat, as I understand it. The town did everything required by the ministry: The time, the meetings, the energy, the money were all expended to do exactly what the ministry wanted in order to expand a sanitary landfill site which met all the requirements, had been operating for years, and it had the door slammed in its face.

1730

I use this as an example of what I consider inequitable treatment and to show what can happen perhaps in other programs. It's not right, and as a consequence there will be a number of petitions presented to the House dealing with this matter.

As I mentioned, there are concerns with the bill, but I'll concentrate on the matter of cost. Certainly that is the big problem as municipalities see it, as the association of municipalities sees it, and I hope the ministry will recognize it.

I very much appreciate hearing the views of other members on alternative ways of recycling. We must never lose sight, however, that the way to control waste is first of all to reduce the amount of waste at source, cut it down and not have as much, and reuse as much as possible and recycle as much as possible after that.

I advise that I'm in favour of the legislation and will be voting for it, but there is a great concern and we will be raising the matter of cost-sharing subsequently on many occasions in this House.

**The Speaker (Hon David Warner):** I thank the honourable member for Brant-Haldimand for his contribution to the debate and invite any questions and/or comments.

**Mr Alvin Curling (Scarborough North):** I just want to commend my colleague for his excellent presentation. Whenever he speaks on municipalities, I am always as close to him as possible and listen to him as attentively as possible. I don't think there are any other members here who have known the municipality politics and their administration as my colleague has spoken about. He expressed some concerns, and I hope, of course, as he said, that some of the municipalities that would like a bill like this come forward because they have requested it. He has warned them about some of the things that are needed, and the tradition of this government of not consulting properly, of not listening properly, could run them in some very difficult situations.

I urge those who were maybe not paying attention as attentively as possible, because of course they may have other matters that they may feel are of great concern, to read those Hansards as he has expressed in his words here, because I think the caution that he has laid out before the government should be followed very closely.

I just want to say again that as the member expressed those concerns, I myself will be speaking a bit later on this bill because I have great concern on how the matter of handling the radioactive soil in Scarborough North is being done and the pressure that may be placed on the municipality of how this will be handled. But again, thank you for your wonderful and excellent and intelligent presentation. I look forward to speaking a little bit later on this matter.

**The Speaker:** Further questions and/or comments? If not, the honourable member for Brant-Haldimand has up to two minutes for his reply.

**Mr Eddy:** The bill will be proceeding and many municipalities will be very pleased to see it pass. There's no doubt about that. It's permissive powers that are overdue. But the serious part of the whole thing is the matter of funding. Those are our concerns. The matter of funding—when the funding programs will be announced, what they will be and how soon they will be announced—is a great concern.

I would hope the government takes this into consideration, because waste management is very important. It's very important to the province, it's very important to the municipal councils that are engaged in it and it's certainly very, very important to the citizens. I want to commend the citizens of the province in participating to the extent that they do. I know there are many others who wish to and will be, and in many other areas.

**The Speaker:** Is there further debate? I recognize the member for Etobicoke West.

**Mr Mammoliti:** Is this going to take long?

**Mr Stockwell:** Yes. I'm up to debate this bill because I've been around this issue for a number of years. I recall vividly when the Liberal Party brought in the blue box program and the game plan it had in mind with respect to the cost-sharing and the municipalities' involvement in the process and the decision-making etc. I remember at the time I felt this thing was going to be one of those typical government programs that's sort of a two-stage loan. In the first stage they get into the game, and in the second stage, when the municipalities have now bought the trucks and bought the boxes and delivered them and so on, they get out of the loan. It becomes a very short-term, piecemeal kind of operation that leaves municipalities holding the bag for blue box and recycling.

I didn't like it at the time, and as time has gone on—I don't think anyone would say this, because it doesn't seem to be politically correct these days—the blue box recycling program has been a complete failure, an

absolute, categoric failure. It's been—

**Mr Mammoliti:** Oh, don't say "complete failure," Chris.

**Mr Stockwell:** Well, I say to the member for Yorkview, if you want to measure it in dollars and cents and what's been recycled and how better that money could have been spent, it has been a failure.

**Mr Mammoliti:** It's been educational.

**Mr Stockwell:** Now, if there is any issue that this government has butchered more than landfill and garbage and the environment, I'm not sure what it is. They have absolutely butchered this issue from the time they got in.

The arguments at the time were much like the arguments today, and as I heard the member for Yorkview suggest, it becomes educational. Surely to goodness we are not going to spend literally hundreds and hundreds of millions of taxpayers' dollars educating them on the benefits of the 3Rs. I think they know what are the benefits of the 3Rs. They know the good things about recycling, reducing and reusing. But to suggest that we get together for some kind of big group hug and a big feel-good position to introduce this kind of blue box recycling program at great expense to the taxpayers is not serving the people we were elected to serve.

If you go down to a curbside pickup in Metropolitan Toronto, I'd suggest that the curbside pickup would cost you about \$25 or \$30 a tonne.

**Mr Grandmaître:** On a point of order, Mr Speaker: Is there a quorum?

**The Speaker:** Would the table count to determine if there's a quorum.

**Clerk Assistant and Clerk of Committees:** A quorum is not present, Speaker.

*The Speaker ordered the bells rung.*

**The Speaker:** Quorum is now present. The honourable member for Etobicoke West may resume his speech.

**Mr Stockwell:** So what happens is that municipalities and provincial governments entertain programs that have nothing more beneficial—not nothing, but the primary point of the legislation is to make the constituents feel better. The dollar factor is never measured. As I was saying, if you went to a curbside pickup, I would think the expense of a curbside pickup probably is no different in other areas of Ontario from what it is in Metropolitan Toronto: maybe \$25 or \$35 a tonne to pick up at curbside. When you pick up recycled waste, you're well over \$100. You're well over \$100 on recycled waste when you pick it up at the curbside.

What happens to that waste? Lots of people would like to tell you that waste then gets diverted from the landfill site and gets put back into the system via paper and plastic and glass. The sad reality of the situation is that not all that garbage gets diverted from the waste



site. A significant amount of that garbage simply gets hauled to transfer stations, sits there until everyone figures out that nobody wants to buy it, gets put into a truck and taken to the same landfill station. It would have cost \$25 a tonne to collect at curbside.

1740

The only reason we did that was to make the taxpayers feel better about using their blue box. That's absolutely insane, but we pass these things, along with local municipalities, because we're kidding the troops by making them feel better, because they think they're recycling. They're not recycling, and if they are recycling, the cost is so prohibitive, they would have been better to put it out at the curb, take the money they use to collect the blue box and invest it in ideas and programs that could actually do some good about diversion or landfill or incineration.

We have another piece of legislation that allows local municipalities to expand their needs, expand the uses of the blue box program. By allowing them to expand, we therefore increase the cost and we put more recycled goods on the market. The marketplace can't even deal with the recycled goods that are on the market right now, let alone with any more being put on because more municipalities are going to get involved in recycling.

Personally, and I know I don't speak for my party on this issue—

**Mr Mammoliti:** You don't speak for your party on any issue.

**Mr Stockwell:** The member for Yorkview suggests that I don't speak for my party on any issue. I would think there are some on which I certainly do, but I know on this one I don't speak for my party. I know my party will support this piece of legislation, but I will not, for those reasons outlined. I will not, because one of the real, good ways we could cut down the amount of waste in our system is not even being explored. We won't even review incineration. We can't even look at incineration.

I understand that some of those members opposite don't agree with incineration, but there are a lot of people out there who can provide you with technical evidence and scientific fact to say that incineration is one of the best ways to go about taking care of the waste stream, a lot of people who can say that, but we can't even look at that because this government says, "I don't care what kind of technical advice you have, I don't care what kind of proof, what kind of reports or what kind of studies are involved; we won't even review that issue."

We can ship our garbage to the United States of America and we can ship our garbage to Quebec and we can ship our garbage outside our borders, but we can't ship our garbage to Kirkland Lake. Tell me what makes sense about that kind of policy that this government has.

You can cross borders and cross countries, but you can't cross jurisdictions within municipal boundaries. That makes no sense at all.

**Mr Mammoliti:** At what cost?

**Mr Stockwell:** At what cost? I'm asking you, why can you now ship it to the US or to Quebec, but you can't ship it to Kirkland Lake? This makes no sense.

**Mr Mammoliti:** How much would it cost?

**Mr Stockwell:** The argument is, how much will it cost? I will say to the member across the floor, you could ship your garbage to Kirkland Lake and back for the amount of money that it costs to recycle it under the blue box program and that you're wasting today. I can tell you, you could do that.

**Mr Mammoliti:** Give us the figures.

**Mr Stockwell:** I gave them to you earlier, if you were listening, member for Yorkview.

**Mr Perruzza:** Shoot it up into space.

**Mr Stockwell:** Well, that may be interesting.

This is how we continue to go along, convincing the people in Ontario that the best way they can go about reducing, reusing and recycling is through an antiquated blue box system that costs the taxpayers significant amounts of money and doesn't get at the root cause.

One thing on which I did agree with this government when it got elected with respect to recycling and reusing was their ban on pop bottles and their ban on the one-litre glass containers. You could cut out a whole lot of this recycling business if you just went ahead with your election promise about pop cans and one-litre glass containers. You wouldn't have to deal with these kinds of megadollars at a municipal or provincial level if you just went ahead and fulfilled that campaign promise you made.

That's the kind of thing that could go about reducing the amount of recycling we'd need and that would have a double-edged sword to it that would affect the taxpayers' expense. Not only would they be doing the recycling, not only would they be taking those pop cans and bottles back to the stores like you do with beer bottles; they would also divert all that from the blue box system. You wouldn't need to put those in the blue box and thereby charge \$125 a tonne to collect it at curbside.

That was one of the better ideas I thought you people had with respect to reducing and reusing and recycling. But you see, the only approach you have to the 3Rs is expanding the blue box program. I defy you to go to any municipality and point to one that recycles and unloads 100% of its recycled product. I defy you to go to one that recycles and can do it for less than \$100 a tonne recycled. I defy you to go to one municipality that can afford to expand its blue box program in future years, with greater needs, with the limited tax base they have today. It's a loser, bottom line. The blue box

program will be a loser 15 years down the road because municipalities, once you as the province opt out of the funding plan, won't be able to afford to continue to run a blue box program on the back of home owner taxes. It will end up collapsing under its own inefficient weight.

I know the arguments that people use who would like to see the blue box expanded, and I dealt very quickly with it in the beginning and I'll deal with it again.

What the benefits of this program have to do with are basically formed in education for the consumer. People in the province of Ontario who use their blue box and take it to the curb think in their minds that they're recycling. They think in their minds that they are being environmentally conscious and they think in their minds that this is going a long way to reducing the problem we have in the waste stream. I understand it has been one of the greatest public relations tools that any government has put forward in the last 15, 20, 25 years. It has been extremely successful in showing the people what we need to do with respect to reducing the waste stream and stopping all these superdump sites going in, hopscotching and pock-marking across the province of Ontario. It's been a good educational program. It's been an expensive program but it's been a good program.

I ask the government to give some thought to a couple of ideas that I have. The first idea would be that you take the money you use in the blue box program that goes to waste, and literally goes to waste, and invest it into programs, invest it into building plants, invest it into higher technology as far as incineration, invest it into plants that can fix the problem with respect to the \$100-million tire problem, it would be better spent. But seeing as how you're going to spend literally hundreds of millions of dollars in a recycling program, you don't have any money left over to really put it where it should be used, in ideas and plants and programs that will go ahead and really begin to solve the problem.

**Mr Mammoliti:** So burn it?

**Mr Stockwell:** I see the member for Yorkview says, "Burn it." I don't just say burning it is the only avenue of exploration. There are all kinds of ideas. I'm not opposed to incineration. I'm not opposed to investigating the merits of incineration; I'm only saying that right now, today, there is so much technology out there with respect to the reduction of the waste stream that you could be funding projects right across the province. Out of those projects you'd get winners and you'd get losers, but the winners you could implement and really begin to solve the landfill issue.

1750

But what you're doing now is pouring hundreds of millions of dollars down the drain, collecting recycled goods that nobody wants to buy that end up back at the landfill site anyway. What good is that? Where's the

sense in that? What's the taxpayers' benefit there?

These people use the blue boxes thinking it's being diverted, and in some instances, in some cases, it's not even being diverted. It's going to the same landfill site had they just thrown it into a green garbage bag. What's the benefit there? What makes the system credible, accountable, reasonable? Where's the benefit to the taxpayers of the province of Ontario?

Here we're expanding it. Metropolitan Toronto has got more paper than it knows what to do with. They can't sell it. They have more glass and plastics than they know what to do with. They can't find a market for them. For heaven's sake, presently you can't find a market for what you recycle, and you're recycling more. Where's the sense?

It's obvious that this is going to pass, because you've got a tremendous amount of support here for this piece of legislation, and the costs this government is passing on to the municipalities are very limited. You know as well as I do, particularly if you sat on the regional council, that the moneys you're offering up are not going to cover the cost of the program and you won't offer them up ad infinitum. They've got to sunset and then those costs are going to be passed back to the consumers or the local taxpayers, who have very little room to increase their taxes to run an inefficient, ineffective blue box program.

I know it's not one of those popular issues, because I know today it's politically correct to talk about the 3Rs, it's politically correct to talk about the blue box and it's politically correct to talk about expanding these programs, but the last thing is, it's not practically correct, it's not financially correct and it makes in a lot of instances absolutely no sense.

The only thing it makes you do is that it makes you believe that the taxpayers feel good when they put their blue box out at the curb. It's not doing what it was planned to do and it costs you, in some cases, \$100 more a tonne, curbside, to pick up a recycled blue box than it does to pick up a green garbage bag. God help us; what we could spend that 100 bucks per tonne on to really go about solving this crisis, solving this problem. If you did spend the money wisely in the next 10 years, I don't think you'd need your three superdumps. I don't think you'd need them. I think you could actually find a solution that would reduce the three superdumps to a number something less than three.

But we have kidded the folks into saying, "This is the panacea that's going to solve the problem." Nobody is going to get to 50% recycle by the turn of the century. We'll still have a problem with respect to landfill sites and we'll still be going curbside with the blue box. No one will be at 50%. We'll be literally a billion dollars shorter on our taxpayer base and we won't have the problem solved.

If that's what you're trying to achieve, if you're



trying to make people feel good about putting a blue box out, then support this. If you really want practical solutions, take a long, hard look at this, because this is not going to solve your problems. This is just going to exacerbate them.

**The Speaker:** I thank the honourable member for Etobicoke for his contribution to the debate and invite any questions and/or comments.

**Mr David Turnbull (York Mills):** As usual, my friend the member for Etobicoke West has brought an interesting perspective to this debate. The interesting thing is that when we start talking about recycling, it has become a third-rail subject. When I first heard that expression, "a third-rail subject," I said, what are they talking about? It's the third rail in the subway: Touch it and die.

It's one of those things that we're not supposed to talk about because we all know how good blue boxes are. It makes us feel good. It makes me feel good. But the wisdom my friend brings to this debate is the fact that it isn't working. It's costing so much money that could otherwise be spent on solving the problem.

This should not be a political question. This should be something that we're all working on together to solve, and the solutions that the government is bringing forward aren't working. Why can't we send our garbage to Kirkland Lake, a willing recipient? Why can't we at least look at the evidence, the statistical, the empirical evidence, as to the viability of using energy from waste? That's a different word for incineration, but nevertheless we can get energy from it.

My friend brings this forward for serious debate for people to consider and all we get is heckles from the government. They don't want to seriously come to terms with the fact that he speaks a lot of truth and he has a lot of experience in the municipal area, looking at these problems over many more years than most of the members in this House have been in politics. Let us listen to that and let us have an open mind and consider the ability to solve our crisis, and it is a crisis, with innovative approaches, not closed minds.

**The Speaker:** Further questions and/or comments? If not, the honourable member for Etobicoke West has up to two minutes for his reply.

**Mr Stockwell:** I thank the member for York Mills.

I appreciate his comments. I may well use them in my campaign brochure, as a matter of fact.

I'm not suggesting, as the member for Downsview shouted out, that you just kill it. I'm not suggesting that just killing it is going to make—

**Mr Perruzza:** Did I say that?

**Mr Stockwell:** Maybe it was the member for Yorkview. I apologize if it was.

**Mr Perruzza:** Credit me for what I say; don't credit me for what I don't say.

**Mr Stockwell:** I'll credit you for what you say from now on.

If you just gave an option in this package, an option to review incineration with a financial commitment, I don't think I'd have as much opposition to this, because at least I'd know you're going down two roads. But you're not. You're going down blindly one road, the blue box recycling program. I can quote you chapter and verse where the blue box recycling program has been excessively expensive; it hasn't captured the kind of reuse that you thought it could capture; it's not going to get up to the 50% you think it will get up to; it doesn't have any prayer of recycling what you thought it would recycle; and in fact when you did recycle it, there was no market there to sell it to.

Now, if that's the truth, and I know it happens, if that's the case, then why would you not look at one or two other alternatives? If only one thing was the case, that you recycle it and there's no market out there for it, which happens, it sits at way stations and gets taken to dumps after you've recycled it. If that was the only case to be true, which it is, why can't you look at one other alternative instead of spending hundreds of millions of dollars down this road that's proven not to work?

It may take a little more guts than I called for and a little more guts than I expect of you, but I think it would be a far better idea than committing these taxpayers to hundreds of millions of more dollars they can't afford.

**The Speaker:** It being 6 of the clock, this House stands adjourned until 10 of the clock tomorrow morning.

The House adjourned at 1758.







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## Assemblée législative de l'Ontario

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Thursday 14 October 1993

# Journal des débats (Hansard)

Jeudi 14 octobre 1993



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
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Thursday 14 October 1993

The House met at 1002.

Prayers.

**PRIVATE MEMBERS' PUBLIC BUSINESS**

**CIVIL RIGHTS PROTECTION ACT, 1993**

**LOI DE 1993 SUR LA PROTECTION  
DES DROITS CIVILS**

Mr Harnick moved second reading of the following bill:

Bill 56, An Act to protect the Civil Rights of Persons in Ontario / Projet de loi 56, Loi visant à protéger les droits civils des personnes en Ontario.

**The Deputy Speaker (Mr Gilles E. Morin):** Pursuant to standing order 96(c)(i), the honourable member has 10 minutes for his presentation.

**Mr Charles Harnick (Willowdale):** I would like to begin debate on this legislation by highlighting the reasons for its introduction. I was prompted to table this bill as a positive attempt to fight the drastic increase in the spread of hate propaganda in Ontario. The increase of intolerance and racially motivated crime demanded action.

I note that in dealing with this very subject the Attorney General of Ontario has said that the Criminal Code as it is written now is not adequate to allow us to deal with some of the issues, and there have been ongoing concerns on a federal-provincial-territorial basis about how to strengthen these provisions.

We, as provincial legislators, have no jurisdiction to amend the Criminal Code of Canada, but what I have done is tried to create an act that will provide a civil remedy to those persons aggrieved as a result of conduct or communications promoting hatred or promoting the superiority or inferiority of one race or class of persons over another. I feel personally very, very strongly about empowering people to be able to deal with these situations without the necessity of having to wait for an Attorney General to intervene. The Attorney General has indicated how difficult it is to intervene, and accordingly I am creating a civil right for those aggrieved to seek damages in the courts.

In the past year we have been witness to cross-burnings, organized hate rallies, racially motivated attacks, hate hotlines and the targeting of young students as potential recruits by white supremacist organizations. This bill deals with recognizing that that conduct is wrong and that that conduct needs to be stopped, and people who are aggrieved as a result of that conduct have to have a remedy. Bill 56, my act to protect the civil rights of persons in Ontario, does that.

There are undoubtedly, in dealing with issues such as these, difficulties in creating such an act, but I believe that this particular piece of legislation is a very good

start. I believe that everyone has basic human rights, and one of those rights is the ability to live free from persecution and fear. Individuals who are members of minority groups are made to fear for the protection of their person and their property because of the increased violence that accompanies the spread of hate material. As legislators, we must act to guarantee the protection of members of our society from this fear.

Any legislation of this sort must be worded and enacted with particular care. It is a delicate balancing act that must be taken in order to continue to guarantee the right of free speech while prohibiting the spread of hatred. I believe that this legislation achieves that balance.

Of very particular note, I am trying to deal here with not just communication but actual conduct. I tell you, Mr Speaker, that the late Walter Tarnopolsky, a justice of the Ontario Court of Appeal and a renowned individual in dealing with civil rights, looked at these issues in a way that targeted conduct. It didn't just deal with communications, and what I am trying to do with this piece of legislation is to target conduct. That is the type of legislation that I believe we need in Ontario to protect people's civil rights. If they are aggrieved by someone's conduct that is racially motivated, this act permits a civil remedy to sue for damages.

Section 2(b) of the Canadian Charter of Rights and Freedoms recognizes freedom of thought, belief, opinion and expression as fundamental freedoms, but as a free and democratic society we must draw the line at allowing people to be attacked by hatred.

Again, I urge you, as members of the Legislature, to look at this bill as a start in providing aggrieved individuals with an opportunity to sue when conduct damages them; not just communications but conduct.

We don't have to look very far to see the kind of conduct I'm referring to. When high schools, and principals of high schools, are targeted as individuals by white supremacist groups to spread the message to enlarge those organizations and recruit, we have conduct that I believe is worthy of people being sued and prosecuted. Under the Criminal Code, as the Attorney General notes, it's very difficult to do that. Under my legislation, this can be done.

I believe that we have an opportunity, with this piece of legislation, to in fact protect the civil rights of all the people who live in the province of Ontario. This legislation will not limit vigorous debate or fair comment, but it will draw the line at allowing people to be attacked by hatred and contempt. Provincially, we can enact legislation that will provide additional means to further fight against racism. This legislation allows individuals who have been the victims of hatred to go

before the courts and sue in order to protect their basic human rights.

1010

We have developing in our society certain things that are going on that have to be of major concern to every decent, law-abiding citizen in this province. We have situations where people are attacked because of their race or religion. We have situations where we have groups such as the Heritage Front and the Church of the Creator. It's interesting that for the Church of the Creator group, a gentleman by the name of George Burdie sums up the aims of the Church of the Creator as follows: "This time we will chase every dirty human rat down to the end of the earth and beat him to death if he is a traitor. This time, my white racial comrades, we shall conquer the world for our people. As Adolf Hitler once said, 'Today Germany; tomorrow the world.' White power."

We have people in our society who are going out and intimidating and causing damage to individuals because of their race, creed, background, sexual orientation, and when we have comments like this being made in a public sense, not in a private sense—and when I'm talking about communication, I'm talking about public communication—we as a society must deal with it.

I believe that the piece of legislation I have brought forward at least goes in some direction with dealing with that kind of conduct. That is why, very briefly, I have brought forward Bill 56, An Act to protect the Civil Rights of Persons in Ontario. I have very much appreciated the support that many members of this Legislature have given me in bringing this piece of legislation forward. I know there are technical problems with it. I ask people to use their goodwill in viewing this piece of legislation. Help me correct it, keep it alive, and hopefully this can become the law in the province of Ontario.

**Mr David Winninger (London South):** I certainly agree with Mr Harnick that activities which promote hatred run contrary to the values of equity and inclusion, values that we as a democratic society stand for. The German writer Goethe observed some time ago that national hatred is something peculiar and most violent where there is the lowest degree of culture.

Hate activities affect us all, whether it's a cross burning in Hyde Park near my riding in London, the desecration of a synagogue in Toronto, a telephone recording of hate messages available to the public throughout Ontario, a public speech by the Heritage Front, beatings of gay people and racial minorities, or the extreme denigration of women in certain media. For those people targeted by hate, the impact can be devastating. The sad fact is that hate activities do exist in various forms in Ontario and I support our government in its firm commitment to combat the promotion of hatred in Ontario.

What's more difficult to agree on is just how far we can go in regulating hate activities and achieving the kind of balance that Mr Harnick speaks to between outlawing hate propaganda, while at the same time protecting freedom of expression, which we value so dearly in Canadian society. In curbing hatred, we must be careful not to place too great a limitation on the individual's right to free expression, one of the cornerstones of our democratic society. Some people may feel that unrelated activities are being censored under the guise of controlling hate activities.

Finally and most frightening, regulating hate activity may actually serve to afford a platform to those who propagate hatred and may choose to challenge this kind of legislation. Our challenge has to be to find that very delicate balance between democratic rights and freedoms and the very real need to ensure that Ontario remains a society where equity, inclusion and harmony can flourish. The curbing of hate activities can be accomplished by legislation, but it can also be accomplished by educational programs and social policies.

Mr Harnick has presented us today with a proposal for legislating against hate activities, and I'd like to acknowledge his efforts and commend him in dealing with an issue that concerns us all. In spirit and intent, this bill touches the heart of the matter, but there are a number of points which will need to be addressed if this bill is to withstand court challenges.

Should our government opt to take this legislative route, it would only be after full examination in committee and listening to the views of the various interested parties. Let me say that our government could be prepared to support this bill if major changes were made to bring it within the bounds of constitutionality.

I stress that this support could only be given if the following fundamental revisions were made.

First of all, the criminal offence provision would probably have to be removed since it is ultra vires and infringes on the federal criminal law jurisdiction. As a result, it is more than likely, in our opinion, to be held to be unconstitutional.

Furthermore, one might well ask whether legislation can limit the content of private conversations. To do so would probably conflict with the freedom of expression enshrined in clause 2(b) of the Charter of Rights. At best, legislation may limit the content of public speech, but this issue certainly requires more study and we need to understand more exactly what the line is between propagating hatred and making a political statement.

Thirdly, the bill should also cover a more limited number of grounds. For example, Mr Harnick's bill covers grounds such as family status, which is included in the Human Rights Code but not included under section 15 of the Charter of Rights or in other parts of the charter. In order to justify such a restraint on public expression under section 1 of the charter, I suggest a



more limited number of grounds would have to be covered. While grounds such as race and religion are clearly meritorious in deserving protection against hate activity, it would be more difficult to give justification to allowing protection to grounds such as family status.

To give a brief example, in the recent federal Conservative leadership race, a local federal member in London, the riding of London-Middlesex, Terry Clifford, said that he would be supporting Jean Charest for the leadership of the Tory party because he was a family man. This immediately led to some indignation and concern on the part of Kim Campbell and those supporting her because she was, as it were, a single mother.

Now I put it to you, Mr Speaker, if indeed we're legislating against the advocacy of superiority or the inferiority of a group based on family status, could it not be argued that this would attract the very sanctions that Mr Harnick has included in his bill?

Lastly, a more specific definition is needed in order to prevent activities from occurring which assert the superiority or inferiority of a particular group of people. There are already Supreme Court decisions—Keegstra and Taylor come immediately to mind—which require very specific definitions so that we don't unduly interfere with freedom of speech and intervene in the narrowest possible way.

Given the breadth of these kinds of concerns, our government would like to open up the issue further to public discussion. We're certainly promoting a free vote on the government's side, and it may be very valuable to have this matter go to committee.

1020

**Mr Alvin Curling (Scarborough North):** First, I would like to commend the member for Willowdale for bringing this forward. I think it is quite appropriate that we debate this and hear the views of all sides. I also want to commend the member for London South because, from what I'm hearing, he's supporting this bill. It's unfortunate, though, that he moved into some rather partisan bashing about the Conservatives and their views, because one of the things I want to commend my colleague from Willowdale for in bringing this about is that he seemed to have gotten the essence of taking the partisan out and looking at human issues. I want to do that and commend him very much.

The reason he has brought this forward is the obvious fact of the failure of other legislation, federal or provincial, to protect the rights of others with regard to hate literature. But whether or not legislation is adequate, I would feel a failure to enforce the violation may be one of the main issues. As soon as we find that we have legislation and we fail to enforce it, what happens is that we make new legislation. It seems to me I'm going to be in a sea of lawyers who will talk about this legislation, and I hope somehow the real issue will not be lost.

My party will be supporting this bill in principle, but we do have some rather serious concerns. When I spoke to my colleague from Willowdale, he said that he would like it to move forward but he understands that there are some concerns. The bill requires some rather careful review. The issue is one that demands immediate government action, and here we have a government that we had hoped would move on this and understand these issues. They have wrestled with these social issues for years. When we talk about government action, the cooperation on our side is there to move that forward. Given the recent acts of hate-based activities in our province and across the country, that is one of our primary reasons for supporting this bill.

We're hopeful, though, that the government will finally take the kind of serious action that is needed now. We know how a private member's bill can actually stay on the books and gradually die away. I think it's extremely important when we are talking about human lives and the kinds of things that happen to them through these kinds of situations that exist now.

However, we know that protecting one's human rights is always a delicate balancing act, and I think Mr Winninger spoke a little about that. With regard to protecting the rights of a group or the particular rights of an individual, of course we at times impinge on others by doing so. This brings to light, as a matter of fact, that this Parliament sometimes fails to debate, in the case of Show Boat, for instance; people are expressing their concerns, that it hits to the heart of them, and it is a sort of racial overtone that puts them in a poor light. That's the feeling of the human being who is saying that, and the other side feeling that it is entertainment, that the thing is not historic anyhow. That has to be taken into consideration seriously. Leaving it to the people out there brings about confrontation. We need proper legislation and a proper venue in order to deal with that.

According to this bill, persons have "the right to bring an action, without proof of damage, against any person or association of persons whose conduct or communication promotes hatred." As we read through that, it's very, very difficult to find out what is hate, and as I talk about Show Boat, it does promote hate towards us. Of course, if we have some proper investigation, it may show that.

My daughter was going to the University of Western Ontario in London at the time this issue came up. We don't have time to bring that up, but we know the issue about the professor who advocated superiority with regard to some sort of race. This professor continued to get his pay and demonstrate his racist attitude and be protected by academic privilege and expression, and it's left there for the suffering of those who were hurt on this, whether it was regarded as hate propaganda or not. But those individuals continue to struggle to prove

themselves, in one way or the other, superior to the other. We need legislation emphatically to look at these things.

In this legislation, I'm concerned about the power to bring an injunction on an individual or an organization, and that is my concern, especially in the case where there is an area in respect to the accused. I'm not a lawyer and I will not speak as a legal mind, but I am concerned that an individual who has a concern about a company, malice somehow, will bring an injunction against an organization and shut that organization down because they have the power to do so, and in the long run find out that the individual was in fact in error. Who bears that cost? Does the company or the organization bear that cost, and the individual can go along on his or her way?

I would like to see, as we support this and it goes into second reading, that some of those concerns are addressed. Many of the lawyers we have here can put their legal minds to it. The very high-paid lawyers we have in the Attorney General's office can assist us in making sure that the group is protected as much as the individual is protected and that an injunction would not shut someone down.

Someone said to me the other day, when I was at the Employment Equity Commission, am I speaking and protecting companies and employers? I said: "Yes, that's what we're here for. We're here to protect the group as well as to protect the individual." That is what legislation is all about, to be fair to all, and this legislation should make sure it protects those people, whether in the event of a person or persons who are accused.

This is an important bill. The Liberal Party seeks to bring the right of all persons, and it is necessary to resort to such a drastic step as legislation of this kind. Is it that necessary? We don't know. Maybe it is. We talk about the fact that education will bring this about, and if we educate people, they will not project hatred. Somehow, yes, that will help, but not necessarily so.

We need legislation that is strong, whether it's in the Human Rights Code, the Charter of Rights—of course we are protected there—or whether we need new legislation. New legislation never surprises me, that we're going to do the thing and say, well, this is it. It will then bring the issue right up front and resolve the problem. Legislation sometimes, to me, makes the pockets of the lawyers a little bit fatter and the individuals it should serve are not properly served.

Let us for this time, as a private member's bill, make sure that this happens.

**Mr W. Donald Cousens (Markham):** First of all, I would like to give very special commendation to the member for Willowdale, Mr Harnick, for the leadership he's bringing to this issue. Ever since he became a member of our caucus he has been a real spokesperson for human rights and for the rights of all people and has

become a conscience within our party for the things that are right and good. I commend him for his efforts in this regard.

What he's really bringing to the Legislature is an opportunity for us as legislators to deal with a much larger issue in a non-partisan way. Let's get rid of the party lines and the biases we have, this baggage we carry into the Legislature because of our different parties, and for once deal with an issue that is really touching all human beings and all residents of our province so that every person can truly have a sense of freedom and equality and a quality of life that might otherwise be taken away because of the hurt and the damage and the harm that others would bring to them.

It's a sensitivity to the needs of people, if you realize that in society there are people who are being abused and hurt and that the arrows of hate go to the very depth and heart of their being when others come along and malign them. It takes away their sense of freedom when others are able to inflict that sense of anger and hurt on them. Why can't we as a society come together in the spirit of goodwill that allows all of us to sit around a table, from all parties, which could be in the form of a committee hearing that would look at this bill, and try to work through the problems it brings with it, to have a sense of dedication to purpose and principle that overrides the exact wording, but through that process of thinking it through together, comes up with a bill that truly begins to touch the need we're talking about today?

1030

I appreciate, first of all, that Mr Harnick has brought this forward. The second thing is that I appreciate that he has opened up the willingness to study it further. By putting this stake in the ground, he has begun a process of debate and discussion that will allow us as legislators to move it forward. He has also expressed a willingness to be open for amendment, as long as it moves towards the target of ending the problems of hate.

In my recent publication on human rights, and I'm the critic for human rights for the Ontario Progressive Conservative Party, we delineated the chronology of racist activities in 1993. You couldn't believe, until you started taking item by item from the beginning of January—and we recall them through into August—the nasty, horrible things that are going on in our society. Unless you are the target of the abuse of these people, unless you're the target of the Heritage Front or the Ku Klux Klan or Equal Rights for Whites or any of these other racist, supremacist groups, you don't appreciate how hurtful and damaging these groups can be to other people's freedom and rights.

Therefore, what we're trying to do through Bill 56 is to address those grievances in such a way that if other parts of the law are not addressing it—if the Human Rights Commission is not addressing it, if the Attorney



General is not addressing it, if through our federal laws it's not being redressed—then we have recourse through another bill, Bill 56, that will allow individuals to take forward their concerns in the courts of law in the province of Ontario.

The sensitivity of the member for London Centre, I think it was, who says, "Okay, there are issues"—I can see us wanting to work them through, and then out of that developing a consensus. The consensus is based, first of all, on recognition of the problem that we continue to have in our society, and it's there. As long as it's there, we have the responsibility as legislators to fight to do our very best to eradicate it. We do it through education; we do it through example; we do it through the popular media; we do it through every device we can in order to encourage people to be responsible in all their actions to their fellow human beings. Then, when all those have failed, and there are still going to be the examples of the recent situation that the League For Human Rights has brought forward, then we're going to call upon the courts to act on it.

I wish I had more time. We are very, very tight for time in this bill. But there is an exciting judgement that was made by a federal judge that has closed down the Heritage Front hotline for the time being, and then they can open up again. What I'd like to see is a chance for those who are grieved by such acts as the Heritage Front to take it to court themselves and do something about it. Mr Harnick's bill is a good step in that direction.

**Ms Zanana L. Akande (St Andrew-St Patrick):** I too want to commend Mr Harnick for bringing this bill. It's one of the reasons I sought election: to be a part of change, a change that's so desperately needed in this particular area.

Hate literature and hate activities cripple people in ways that some of us still don't understand, in ways in which children are prevented from becoming all they can according to their potential, all that they should be, because they have been made to believe they are somehow inferior or somehow less than others.

It threatens the security of people and property, and it creates a kind of climate of fear and intolerance. So many times we have had buildings defaced. People have been threatened. There are children who have come into schools and said, "You know, I'm being beaten on the way to school and so-and-so is calling me names," and not only another child but also that child's parents or that child's older siblings are hurting them or threatening to hurt them, all because of this kind of hatred.

It undermines self-esteem, and it is done in a way that in fact makes people feel their very souls are less than others'. It is done in a way that makes people embarrassed to say who they are and what they are. It is done in a way that actually promotes some people who are less visible as belonging to particular groups to

change their names, to "pass," as we say in our community, because they feel that they will be limited. There are many ways in which it pressures individuals to abandon who they really are. It creates frustration and outrage and it disrupts social harmony.

Sometimes it is done overtly: It is done with signs and it is done with name calling and it is done with nasty sayings and it is done with threats. Sometimes it is done covertly: It is done with plays, it is done with musicals, it is done with evenings of entertainment where people seek to say, "It's just good fun," and yet it has the same effect.

So of course I commend Mr Harnick for bringing this bill to the House. I want to tell him that I feel he has done something really great, something that is very necessary. As it stands now, we must wait until police bring actions or cases to the Attorney General's attention, and there very often are many cases where we have found for some reason or other this is not done. Sometimes we believe there are reasons for this. Maybe they feel the case is not important enough. I often wonder, who best to assess the importance of the case if not the people who feel the hurt and suffer the pain and wipe children's tears and somehow bolster themselves for yet another day holding their head up high in spite of those actions?

So I commend Mr Harnick and I say that it is time we had the right to bring actions ourselves. It is time that the victims had the right to say: "I've had enough. I want this investigated. I want some retribution." I don't suggest for a moment that bringing this to the courts is the only way to do this. I know there are other things which must be done. I know that we must continue education and we must continue to strategize and to promote the acceptance of one another, but I also know that once something is law, people begin to behave in a way that is in concert with those laws, and once they behave that way, they began to speak in support of their actions. So I will be supporting this legislation.

1040

**Mr Tim Murphy (St George-St David):** I too am going to rise in support of the bill sponsored and put forward by the member for Willowdale. I thank him for doing this. I think it's an important initiative.

I was recently elected in a by-election some few months ago and it wasn't very long before situations like this presented themselves as real concerns in my riding. Over the summer, I'm sure many of the members in this House will remember that a number of members of the Tamil community were beaten, and in one case killed, in what I think were seen to be, and rightly so, hate-motivated attacks. Shortly thereafter, there was a march in my riding organized by the Tamil Ealam Society in which we marched through the riding and in the community as a form of solidarity, to use a some-

times maligned word, of coming together and saying, "This is wrong." I was glad to be there representing I guess the power structure to some degree. It was unfortunate. I'd hoped to see more members of this House there, but I think we can do what we can, and this bill is one step in doing that.

I think what we're really talking about is that core evil emotion of hatred directed at individuals for reasons entirely unrelated to their merit as human beings. In my riding, it's not just the Tamil community; for example, it's the gay and lesbian community. Gay-bashing is a real problem in the riding of St George-St David. There are attempts to deal with that, but there is that hatred directed at people for reasons that I don't quite fathom sometimes, that often arise at times when the economy is difficult and people tend to blame people who are different. We as a society have to work to eliminate that sense of separation between peoples as much as we can.

I think, for example, of the hurt and pain the Jewish community must feel every time a synagogue or a cemetery is defaced, every time they have to see the Heritage Front in the newspaper. The member for St Andrew-St Patrick and the member for Scarborough North both spoke eloquently about how sometimes even what others think is innocent, like Show Boat, can be a painful experience because of the message it conveys. We have to think about how this has to be part of a broader effort, about other things that we can do.

One of the things that concerns me greatly is the question of activities by organizations like the Heritage Front and RaHoWa, which is an ugly acronym for racial holy war, and their activities in our schools. That very much concerns me. In talking to police officers and others who have some sense of what's happening, they are very much concerned about the recruitment activities by these organizations in our schools, by the encouragement of hatred that these organizations are in the process of fomenting. I think we have to move towards getting rid of these organizations having access to our schools. We've got to keep them off the property, keep them away from our children. There is always that potential in schools for children to be very susceptible to those messages of disliking those who are different, even if it's sometimes as innocent as being the other school. I can remember, growing up, going to a separate school when I was a child, and we'd have to cross the street to pass by the public school; otherwise they'd be throwing rocks at us. It was innocent for the children at the time, but it was symptomatic of something that we have to be concerned about, that these groups like the Heritage Front and RaHoWa can take advantage of.

I think the member for Willowdale's bill is part of moving towards solving that. It's not by any stretch of the imagination a whole answer, but he deserves credit for at least taking some of the first steps. I hope the government is listening. I'm hearing good things from

the member for St Andrew-St Patrick and the member for London South, Mr Winninger, and I hope the Attorney General is listening to that message from all parties, because I think it's something we can build on.

That's not to say this is a perfect bill. It has some improvements. One issue, and it was raised by the member for Scarborough North, was the professor at Western, for example—Rushton, I believe his name was—and his silly notions. My concern would be that this bill could possibly make the university liable for some of what he said if there was a damage award. Maybe that's appropriate, maybe not, but I think we should have a discussion about that.

This should go out to committee to have that discussion, because obviously there's a balance to be struck between academic integrity and the ability of a group of people who feel put upon by the kinds of silly things Rushton was saying to have some kind of redress. We need to discuss that balance, about how far we go to make organizations liable for the actions of individuals within it.

One of the things that may be unintended and not quite a direct consequence of this but may be a fruitful one is what this will mean for pornography, for example. I think, for example, the Human Rights Commission is currently considering the application of two women about a corner store and how its carrying Playboy and magazines like that created an environment they felt uncomfortable in and therefore was a violation of the Human Rights Code. I could see a similar argument being made in the circumstances of this bill.

Again, maybe that's appropriate, maybe not, but I think it's important we have that discussion, and I thank the member for Willowdale for bringing forward a bill that at least allows us to take those first steps.

I am, like the member for London South, concerned about the offence section, because I think it could create, not so much because of the ultra vires issue but more because the balance needs to be struck, a criminal liability indirectly. "Promoting hatred" is an imprecise term, and because of the vicarious liability of a corporation, you could be criminally liable for an action of someone you're not entirely responsible for, and that is of some concern to me.

**The Deputy Speaker:** Time, thank you.

**Mr Murphy:** I very much support the principle of the bill and I thank you very much for the opportunity to speak.

**Mr Cameron Jackson (Burlington South):** I wish to join in the debate this morning on private member's Bill 56, An Act to protect the Civil Rights of Persons in Ontario, and I wish to congratulate my colleague the PC Attorney General critic and member for Willowdale for bringing in this timely private member's legislation which will offer greater protection of the civil rights of all Ontario citizens.



As you know, this is also in response to the alarming increase in racial and religious hatred that we are seeing cropping up in our society today. My colleague's tireless efforts to fight discrimination in his community and throughout Ontario remind us of our common responsibility as legislators to be vigilant to stamp out hatred towards any group or individual in our society.

Incidents of racially inspired hatred, especially anti-Semitism, have been occurring here in Ontario with greater regularity while politicians have been unacceptably slow in responding to these. For example, last December a swastika was painted on the side of the Legislature. It was only removed eight full days later. In May a group of skinheads broke into a store in Kitchener and unmercifully beat the Jewish merchant who was there.

The one who has been encouraging and promoting anti-Semitism, the most insidious form of racism, perhaps the most, Ernst Zundel, has attained far too much notoriety in the media in this province, while we are informed, even in this Legislature, that not enough evidence exists to put a stop to his promotion of public hatred. I'm even led to believe now that he has secured a cable television channel in order to spread this form of hatred.

As I stated in this Legislature on June 3, the government's fear is that we won't win the case in court against this purveyor of hatred and that our laws against racially inspired hatred aren't strong enough. We must strengthen our commitment, therefore, and we must strengthen our resolve. For those of us in public life, regardless of our partisanship, to do nothing is in fact to condone anti-Semitism and other forms of racial and religious intolerance with our silence and with our inaction.

If it is not us, then who? If it is not now that we do this, then I don't know when, because now is the time to send a very clear message that neither anti-Semitism nor public hatred of any kind will be tolerated, not in this province, not in this country, not anywhere.

1050

The experience of victimization is as ugly as it is cruel. As someone who has promoted the rights of victims of crime for more than eight years in this Legislature, I believe that the greatest right anyone has in this province is the right not to be victimized.

The provisions of my colleague's Bill 56 having to do with hatred and the promotion of the superiority of one group over another also provide an important way to address hatred against women, as depicted in violent pornography such as triple X and slasher films as well as the serial killer cards. These are all expressions of male superiority over women, who are treated as objects for the gratification of men.

There is a strong causal link between pornography and violence against women. On April 26, 1989, I

challenged the then Liberal minister for women's issues on his statement to the contrary. In response, I guess on reflection, that minister was obliged to admit that in fact a causal link does exist.

On April 11, 1991, I took the NDP Consumer and Commercial Relations minister to task in this House for her government's refusal to press charges against explicit sex video stores. During a number of police raids approved by the Solicitor General on such stores, video tapes showing sexual violence and bondage of women were seized. The police were undermined by the NDP Attorney General, who withdrew the direction to the crown attorneys to proceed with prosecutions.

Women in Ontario felt betrayed by the minister and her government, who refused to take a stand against sexually degrading and violent pornography which emphasizes and glorifies the superiority of men and dehumanizes and degrades women. As Robert Payne, the then Ontario Film Review Board chairman said, "Ultimately, the problem is a political one that needs to be addressed."

Since this NDP government has been unwilling to address it, opposition politicians and citizens' groups have taken the lead against violent pornography. On May 7, 1992, I raised the alarming situation of the marketing of serial killer cards in Canada, which featured serial killers and mass murderers. In addition to illustrating psychopathic killers, the cards also described the minute details of their perverse crimes.

Debbie Mahaffy, who heads Canadians Against Violence, led a massive campaign against the serial killer cards. Today we have learned that a new series of these cards will be put in Ontario stores this January.

The time to act is now. But the problem with fighting sexually violent pornography and the killer cards is that the law until now has been preoccupied in defining the causal link between violent pornography and violent acts themselves. However, under the provisions of my colleague's private member's Bill 56, individuals and groups can be empowered to take action against the purveyors and profiteers of violent pornography, since they are expressions of hatred against women and promote male superiority. This bill can provide better legal means by which women may defend themselves against the degrading victimization of violent pornography and serial killer cards that desensitize men, dehumanize women and promote the violent treatment of women.

I support unreservedly my colleague's private member's Bill 56, the Civil Rights Protection Act, and I would urge all members of this House to do the same.

**Mr Tony Martin (Sault Ste Marie):** Bill 56 raises many issues of importance that have not been properly addressed by today's society. The bill is aimed at curtailing hate activity in Ontario, activity which attempts to promote hatred against groups and members

of groups on account of their race, gender, sexual orientation, ethnicity, religion, age or family status.

I am certain that we all share this goal and want to do everything we can to achieve it. Legislation may help to achieve these goals and it's something that I think we should consider very seriously. However, legislation works best only when the public is educated with respect to what it means and why it is needed.

In order for Mr Harnick's bill to be effective, a consensus will need to be developed which will enable us to be clear on the limits of tolerance with respect to hate activity and to educate the broader public on what those limits are. I think that listening to the public on this issue would be a good first step towards developing such a consensus and for that reason I would like to see Mr Harnick's bill get a public hearing.

I also think it will be important to develop educational programs and social policies that will sensitize the public to these issues and that will increase public awareness of what hate activity is, the various forms it takes and the necessity of nipping these activities in the bud.

There is growing concern that hate activities are increasing on a global level. I think we all agree that we should do everything we can to counter that trend here in Ontario. I think that education on anti-racism, anti-violence, gender equality, religious differences and sexual orientation needs to be taken seriously and given greater priority. Effective courses on these issues need to be developed and taught at all levels.

I think we should work with community groups to deal with hate-related issues as they arise and to develop programs to combat hate and to provide a forum for public complaints. We need to create a structure for dialogue within and among communities most vulnerable to hate activity. To demonstrate our commitment, I'd like to see that dialogue include representatives of the government.

The subject of hate activities is due to come before the cabinet round table in November, and a number of the concerns raised today will receive more detailed consultation there. In the meantime, it is vital that we continue to move forward with this very important subject. To do this, I suggest holding public hearings to determine whether the kind of bill proposed by Mr Harnick is appropriate and, if so, what changes are required to make it viable.

**Mr David Johnson (Don Mills):** In Ontario, in Metro Toronto, we are fortunate that people from many countries and many walks of life have come here for over a century and have worked hard together to develop our communities, our lifestyle and our method of government. This diversity has contributed immensely to the richness of our society from a cultural perspective but also in developing our economy and a better way of life in this province.

We need to ensure that there is fairness, equity and tolerance in our society so that people may contribute according to their ability. We need to fight against discrimination, bias and any restriction against any person. If a member of our society suffers discrimination, then not only that individual but our society as a whole loses.

I've had some experience in this regard, being the chair of the mayor's committee on multiculturalism and race relations in East York for 11 years, and I have in my possession a letter from the mayor of the city of Toronto that I think expresses some of the concerns that I have experienced through that period of time.

She expresses concerns about the increase in organized hate group activities of white supremacist and neo-Nazi groups. They've been on the rise for the last few years. These groups are exploiting in particular the recession and high unemployment, and they are aggressively recruiting the young people, going right into our schools and recruiting and poisoning the minds of the young people in our schools.

I know that in the east end of Metropolitan Toronto there have been a number of incidents of hate literature being circulated, being tucked in the windshields of cars, being distributed through apartment buildings, particularly buildings where there'd be people from many different countries, many different colours. We have attempted, through the police and through the various different government authorities, to have this issue addressed, but the laws don't seem to be satisfactory, don't seem to have teeth.

So I commend the member for Willowdale. I think it's time that legislation was brought forward to deal with groups like the Heritage Front that, frankly, we've had to deal with in the east end of Metropolitan Toronto, both through their hate literature and paper and through their telephone messages that crop up from time to time and that, unfortunately, people are subjected to.

My congratulations to the member for Willowdale, and I certainly hope that this legislation carries through.

**The Deputy Speaker:** The member for Willowdale, you have two minutes to reply.

**Mr Harnick:** I very much appreciate the sincere goodwill of all those who spoke on this bill this morning and I very much appreciate their commitment to see this bill continue and go forward and become law.

There's no question that someone who becomes embarrassed because of who they are, or is intimidated as a result of who they are, or feels threatened because of who they are, or feels pressure because of who they are, or frustration because of who they are is a person who is suffering damages, and people who suffer damages as a result of other people's conduct and behaviour deserve compensation. That is what this bill provides. At the same time, it provides a deterrent effect against those individuals whose conduct is reprehensible.



1100

I want to do this now and I want to do this together with my colleagues in this Legislature. I am delighted at the opportunity to take this to a standing committee. I am delighted to meet with the cabinet round table on race relations. I am anxious to work with those in the Attorney General's department to make this bill a workable bill. I am anxious to meet with those who are far more learned in the law than I am to create to a piece of legislation that will work. I am anxious to sit down and work with the people from the Canadian Civil Liberties Association and my good friend Mr Borovoy. I believe we can make this a workable piece of legislation that will benefit all the people in the province of Ontario.

Let me again express my sincere thanks to all members who have supported this piece of legislation and to those who spoke so eloquently today.

**The Deputy Speaker:** The time allotted for the first debate has ended.

#### PICKERING AIRPORT LAND

Mr Klopp moved private member's notice of motion number 26:

That, in the opinion of this House, since the federal government's announcement to sell surplus Pickering airport lands will lead to major changes in ownership and possible changes in land use, and

Since there is a stated federal government commitment to the preservation of agricultural lands, and

Since there could be adverse impacts on several provincial initiatives ongoing in the immediate area, such as the Duffin-Rouge agricultural preserve, the Rouge park, the Seaton community and the Oak Ridges moraine, and

Since there has been no meaningful consultation by the federal government on the issues of a strategy for the airport lands, the disposal of any surplus lands and any related infrastructure needs to service the area,

Therefore, this House calls on the federal government to stop this premature plan to dispose of surplus federal lands in the Pickering area until a comprehensive long-term strategy is developed for the whole federal holding, following extensive consultation with on-site tenants, owners of surrounding lands, other interested parties, local and regional governments and the province of Ontario.

**The Deputy Speaker (Mr Gilles E. Morin):** Pursuant to standing order 96(c)(i), the member has 10 minutes for his presentation.

**Mr Paul Klopp (Huron):** It is with privilege that I rise here today to talk on this issue. As a parliamentary assistant to the Minister of Agriculture and Food, and in my past number of years, I've come to a great appreciation that we need to preserve our land. As a party we've spoken many, many times over the last 20 years

on the fact that we've seen our lands paved over in this province, and of course people said, "We've got lots of land; we don't need to worry about it." I think we do need to worry about it. So I am pleased to introduce this resolution calling on the federal government to stop the sale of the surplus Pickering airport lands.

This hasty and ill-considered action by Ottawa completely ignores the plans and wishes of local residents, community groups, local government and the province of Ontario. It's hard to imagine a more thoughtless and shortsighted approach than to sell some 5,000 acres of prime agricultural land, which is now used chiefly for food production, and to sell it with little or no consideration for the long-term implications of such an action.

Not only that, but it's quite possible that the federal government could sell the land in parcels too small for farming use but big enough to pave over and build residential subdivisions on, with little or no thought for the provision of services, access roads or the impacts on neighbouring properties.

As my colleague the Minister of Agriculture, Elmer Buchanan, said in the news media last week, "The public wants Ontario prime food land protected for the long term." In consultations we have undertaken, and in my own experience, people have understood the vital importance of preserving our best food-producing land now, before it's developed for other uses. As the honourable members know, this government shares the view that prime food land should be maintained for food production. This government knows and appreciates the real value of good farm land.

What Ottawa appears to be doing in this case is creating a short-term gain that will ensure long-term pain. The lure of earning a few million dollars by selling this land is, I agree, hard to resist, especially for governments, and the federal government needs dollars. But it must be resisted, because once this land is sold and this farm land is sold, it's gone for ever, and in the long term the people of Ontario and Canada will be poorer for it.

Such a sale doesn't make any sense to me and is unwise. It doesn't make sense because it's at odds with the federal government's own commitment to the preservation of agricultural lands as expressed in the federal-provincial green plan agreement and other accords on soil and farm land preservation.

It also doesn't make sense because it is at odds with provincial governments' previous actions in the area. Here I'm referring to the setting aside of lands for the Rouge Valley Park and the Duffin-Rouge agricultural preserve, both of which lie just south of the federal airport land.

The federal action is unwise because once such lands are sold, they may be lost for ever to food production. They can be paved over, built upon—in short, urban-

ized—and never again used for farming or providing green spaces that city-bound people appreciate and value.

But I think what is one of the worst aspects of this situation is the surprise factor, the utter failure of the federal government to properly listen to those who live on the lands as to what effect such sales would have on them. What's at risk here are the people's livelihoods, their homes and their sense of belonging to a community. I ask, what will happen to the scores of our citizens displaced by the sale of this land?

Land use planning is a provincial and municipal responsibility. It is true that the federal government is exempt from provisions of our land use planning laws, but that in no way excuses Ottawa from acting in such a way as to threaten the province's land use plans.

In fact, as the senior government, Ottawa has a special responsibility, I believe, to act in harmony with the wishes of the provincial and local governments, unless, of course, there is some issue of national importance at stake. I'm sure we can all agree in this House that this is not the case here. What we have instead is a government acting in an expedient and autocratic manner without sufficient thought for the people living on the airport lands or for what the impact of the sale of these lands would be on adjacent communities and the environment.

We're not talking about asking to return to the status quo on this important issue; quite the opposite. We believe that if this land the federal government owns is not going to be used for an airport, another long-term solution should be found on this issue. On the other hand, if the federal property is to be used for an airport, I would doubt the final shape of an airport facility has yet been fully determined. Surely, therefore, now is not the time to sell what Ottawa considers surplus airport lands.

We don't need any more of this arbitrary, high-handed approach to problem-solving. Rather, let's sit down together and find a solution, a solution that suits the long-term needs of this vital area on the eastern doorstep of Metro Toronto. And if the airport lands are to be sold, it's important to remember that they are mostly class 1 and 2 prime agricultural lands. At the very least, then, let's make sure they are sold in parcels of sufficient size to be made into productive farms. Let's make sure the essential rural nature of these lands can be preserved.

I certainly hope the federal government can reverse its very unwise decision, a decision that flies in the face of common sense. We ask the federal government to sit down with us, with the affected municipalities and the community of interest, to plan the long-term future of the Pickering airport lands rather than pursue this wrongheaded policy any longer.

I ask that all members of this House join together to

support this important resolution. It calls upon the federal government to cease its sales of the Pickering airport lands and instead develop a long-term strategy in consultation with all those affected, a plan that suits the needs and hopes of the Pickering community and the people who live there.

I have colleagues today who are directly affected. They are going to speak in support of this resolution and further put details of what has really gone on in that area over the last 10 years. There have been many communities of interest, and for sure we need to make a decision and do some long-term planning. But this decision was not done in consultation, and I think it would be unwise to move on this. We've seen the Pearson airport decision. I recognize the politics, but surely we need to not have this rammed through.

I really hope we can support this in a positive way in this House today to put pressure on the federal government so that we can have better planning.

I have had the privilege of driving through that area. In fact my father has memories of it. It's really sad to see the people in the limbo that has happened over the number of years there and we need to move, but we need to move in a far more open fashion, and that's the thrust of this resolution. I urge support.

I can think back not that long: well, 10 or 15 years ago; time flies now. But I remember just the west side of Toronto; many fields now are under pavement. We've had a bad history of allowing one area to go because we've got other lands and we'll worry about it in the next generation. So land gets changed and slowly but surely it gets paved. We have to stop that. This is what this resolution is about, is to start thinking now for the future. I urge everyone's support and I look forward to the debate today.

1110

**Mr Gerry Phillips (Scarborough-Agincourt):** I appreciate the opportunity to address the motion. It's an area I'm quite familiar with. My constituency, as we say around here, is one of the Scarborough ridings. When I first ran for elected office, it was in 1969 for the school board and one of my platforms—I looked at my old brochure—was actually having an outdoor school for the Scarborough students in the Rouge area so that they could understand and study the Rouge. Actually, that came to pass, which I was fortunate to have played some small role in. So I think we should all, particularly those of us who may not be familiar with the area, recognize that the area is a bit of a treasure.

I bet I walk in the Rouge once a week, and I see many of the Rouge members here today. I know I've walked from the Markham town line down to the lake many times on each of the branches of the Rouge and it is quite an amazing piece of property. In fact, it probably was just about a year ago that I was out and saw a herd of 20 deer. I couldn't believe it. It was just



north of the railroad tracks there. It was almost exactly a year ago, and nobody, I think, who lives outside of Metro Toronto would understand or appreciate that there could be a herd of 20 deer within the boundaries of Metropolitan Toronto. But it's a bit of a magical place there and if you haven't had a chance to walk it, I'd suggest you take that opportunity.

The thing I've learned in politics is that many of the decisions we make around here are fairly short term. Governments come; governments go. Things that you fought to have part of the landscape in a legislative way change because another government comes along and believes it has a better idea. So I never get my expectations up too high about the permanent effect that we can have in politics.

There are a few exceptions and one only has to look around the world at some of the great cities to realize that either 100 years ago or 200 years ago or 2,000 years ago somebody made the decision to design and to plan an area in a certain way. Those decisions can be permanent, but if you make the wrong decision once, they're gone for ever. That's one of the reasons in politics you kind of chalk up some things that you are proud of and that you think will stay for a long while, and one of my proudest moments was the Rouge park.

Don't overestimate the role I played in it because I think it was the Save the Rouge group of volunteers and individuals who fought thousands and thousands of hours with thoughtful, rational, sometimes emotional but always important arguments. The reward belongs to them; they really did that. But those of us who are in government had to make part of that decision, so for me, it was one of the proudest moments and one of the moments that will live for ever, because it will stay there, the Rouge will stay for ever. As I say, legislation can change and all those things can change, but the park will stay for ever.

I think all of us in politics need to recognize the decisions that can't be changed. When you allow a piece of property to disappear, it's gone for ever. That's why the resolution has merit, and that's the resolution calling for a pause.

People can marshal their thinking and their energies to ask, what is the long-term goal here? Certainly that's the role the Rouge people played in the Rouge in Scarborough; it was to stop the decisions long enough for all of the evidence to be weighed and all of the information to become available. I think a rational decision then is made. I found the motion useful in that respect. It's not prescribing the end result; it's simply saying, "Let's pause and examine it." As I say, once the land is sold, it's sold for ever, so I think pausing and looking at the solution is important.

If I might put it in a bit of a broader context, governments at all levels right now are, for good reasons, preoccupied with finances, whether it be at the federal

level, the provincial level or the municipal level. For those of us in opposition, and for those of you in government, one has to be particularly vigilant right now, because there is no doubt that in the interest of trying to make the finances look better there's a risk of some strange short-term decisions being made.

That may be what's happening at Pearson International Airport. It may be that in the interest of trying to make the books look better and finding creative ways to do capital infrastructure, what is conceptually an idea that has merit is badly executed.

It appears the federal government is obviously looking for money. I think there is support in the public for governments to look creatively at finding ways to reduce the debt, reduce the deficit, and to find other sources of funding. But within that general direction you find mistakes, and this may very well be a mistake.

I say to the Legislature, that's just another thing the people who are affected by the area will want to look at. Most people, I hope, are aware that the provincial government has sold—probably the largest land sale in the history of the province was executed in March 1993. The province sold \$450 million worth of provincial land. I'm not sure everyone's aware of that. I think the public is supportive of the sale of surplus lands, but I think all of us will want to be aware that the \$450 million worth of land was sold by the provincial government six months ago, and among the sale of lands were some properties in this area.

I see that the Seaton golf course was sold, the Whitevale golf course was sold, 195 acres of open space in Pickering was sold, there were 1,355 acres of agricultural land in Whitby sold, and 1,300 acres in Markham east were sold to future development.

1120

The reason I raise these things is that just as the federal government is embarking on trying to sell off what it would regard as assets, the provincial government's embarked on the same thing. I've been unable to determine where some of that land is because the people responsible feel they don't have the maps to do it for me. But I would urge the people who are affected by all of this area to take a look at the provincial government's land sales as well, just to make certain that we aren't here in the Legislature talking out of both sides of our mouth, selling off at least two golf courses in the area and maybe some other open space. I can't tell from the documents.

I come back to my central point, and that is that there are certain decisions we make that are irreversible here. I learned from experience that the Rouge is a classic example. Had we made the decision to proceed with the original plans in the Rouge, that would have been an irreversible decision. Luckily, through the efforts of the community, we didn't. As I said, it's one of my prouder moments in politics and one of the few kind of perma-

nent things that I feel good about having accomplished.

I support what I think is a responsible motion. It's an opportunity for all of us to pause and to allow the community, in its broadest sense, to look at this area and for some reflection on this decision. When the final decision's made, whatever it is, to deal with the land, all of us, particularly those who live there and those who are most keenly interested in it, will feel there's been a full and complete airing, and whatever the final decision is, it will have been made on the basis of a sensible, long-term decision.

**Mr W. Donald Cousens (Markham):** I'm pleased to participate in this private member's resolution and to share in the concern we all have to preserve agricultural farm land and to continue to do all we can, from the provincial side of politics in Canada, to promote green areas and to see that they're developed and enhanced and protected. I share the concerns that are expressed by members of this House that anything we can do to maintain those lands and to expand them and develop them, we should do.

I give an awful lot of credit to all members of this House, and certainly to our federal members, in coming through and starting the whole Rouge Valley natural parkland. The community led the battle. Don't ever forget there were federal members involved, and I think Pauline Browes has to be attached to the success of that one. But it wasn't just one political party. She happened to be in power when we got the \$10 million, but everyone has endorsed that to date and indeed it will be a reality. We have to continue to find ways of doing it, and I certainly want to be part of that long-term plan.

I have great concerns about the resolution that is before us. It reminds me that we've got so much government in this country that we're tripping over ourselves. Here the Ontario government's suing the federal government because of NAFTA. The provincial government comes along with a resolution like this and says: "Hey, the federal government is the one at fault for not doing something more on this. The federal government's rushing into something." Well, I'd just like to comment on a few of those points.

It isn't rushing into something; since 1987 what was going to happen with the surplus lands around Pickering has been widely known. A group known as PARC, the Pickering Airport Residents Committee, began and understood that there were surplus lands. A University of Guelph professor did a study on it, made recommendations that some of those lands be sold off, the surplus lands in particular, that some action be taken on it.

The federal government hasn't taken all the lands. They've taken 5,100 acres and are saying, let's do something with them, retaining another large section of that land for possible future development of an airport. Who knows if that's going to happen? If that happens, it's going to be when Pearson gets rid of some of its

special status and so on.

In the meantime, since 1987 there's been an understanding that something was going to be done with the surplus lands. It's not realistic to think it's just happening all at once.

If the federal government is to be criticized, it's because it's doing it right in the middle of an election and everybody's saying, "Oh my gosh, isn't that something." I'd say what they've done right from the beginning is have open statements of their plans for these lands; the fact that they've been announced for sale gives the province, instead of throwing stones at the federal government, an opportunity to say, "How can we get involved with it?"

Instead, we've had a press conference in which our Minister of Municipal Affairs and Minister of Natural Resources come out and say, "We're going to do something about it." Well, what are they doing? They're planning to put a dump in some of the valuable lands around the Rouge Valley, but they come out here and say, "The province will act to preserve farms and green space on any lands sold, unless the federal government commits to a process, which allows us to develop the best use of these lands."

It's one thing to say that and it's another to have Bill 143, where they're going to stuff one of the world's largest dumps in Durham region and they're looking at one in Markham on the same kind of lands we're talking about here. What hypocrisy. A government and a government member come along who, on the one hand, say, let's do something about these, and on the other can destroy the lands with the Bill 143 dump plans—

**The Deputy Speaker:** Order, please. I listened very attentively. You accused the government of being hypocritical and you also referred to the member. I won't accept that.

**Mr Cousens:** I'll withdraw any reference to the member being hypocritical. The government itself is an independent body and is hypocritical in the way it's going about this action, so that stands. But as far as an individual member is concerned, he has the right to do a stupid thing if he wants to.

The only stupid thing I'm talking about is the fact that on the one hand the government says it's going to put a dump on those lands, and on the other hand it's saying, let's try to find some way of retaining them free of charge.

Here's a suggestion. Take your logic a step further. Instead of expecting a free trip from the federal government all the time, how can we in the province and the community buy the lands? How can you as a government influence Hampton and Philip and the other people who are blaming everyone else for it, and say to the federal government, "We in Ontario are prepared to make a commitment, a commitment of money"? What



instead we get is that Ontario comes out with its machine guns and shoots away at the federal government every chance it gets. What a country we have.

The country is just falling down. Every layer of government fights every other layer and there isn't any understanding. What we want to do is get Durham involved, get the municipalities involved, get the people involved and see if there are ways in which we can negotiate something out of this.

It's not something that's just happened today or yesterday; it's been going on since 1987, and everybody knows that there's been a strategy and a plan to sell off those surplus lands.

The crime against society is that every level of government has a way of blaming the other and that is what's wrong with Canada today. Canada is just destroying itself. We're ripping ourselves apart because of all the ways in which governments—you know, it's almost lunacy when you think that after the next federal election you could see the fleur-de-lis flying from Stormoway. It could well be that the opposition party's going to come from Quebec, and what is Canada all about?

We are so busy at war with one another within a country that's so great and wonderful. We have one of the most beautiful lands in the world. You just have to look at the beautiful parklands and all the things we've got, and yet we're so busy at working against each other.

If we could find a way where the province could be sitting down with the federal government, we would find ways in which those lands could be purchased. But to expect a free trip at this point is beyond what anyone can hope for. If there's a shared reciprocal arrangement where different levels find ways of making it happen, that becomes the magic of success.

Instead, what we have is the kind of resolution today that I think leads us down the path to say they're doing something very quickly; it's premature; they haven't really looked at all the things. I'm saying they're not sold yet. There's still an opportunity to do something about it, and if we're smart as a country we will begin to do something about it.

1130

But don't forget that this is the very government that comes forward and says, "Let's do something to protect these lands," that at the same time has shown callous disregard to the people of the province of Ontario by putting the dumps in York, Durham and Peel. The process they've followed is without a doubt the worst process I have ever seen any government do, and I despise them for it. I despise the way they have disregarded all previous laws.

**Mr Gordon Mills (Durham East):** I want to know about the airport.

**Mr Pat Hayes (Essex-Kent):** Tell us about the airport. Tell us about Pearson.

**Mr Cousens:** Speak out when you have a chance, but as far as I'm concerned, I will never forgive the New Democratic Party and the way it has come about with its Bill 143 and tried to put dumps in the communities without looking at all options. What they have said is: "Hey, there's M6. There's one over in Pickering at Whitevale." Wherever they've chosen, they have still not said, "Let's look at other options," which could include rail haul, and opened up the whole environmental process to consider that. They've stripped away the rights of the communities and the people involved, to make it happen their way. This is a government that can stand up and say, "We want one thing, when it's our way."

It might well be that we can have those lands, which could continue to be used for farms or whatever. I don't know how many of them are being farmed. Maybe the honourable member who brings forward the motion could indicate, of the 5,000 acres, how many are being used for farming right now. But I would hope that even whoever buys them in the future could use them for farms and could use them for continuing work on that.

The fact of the matter is, here is a government which, when it's convenient to them, according to their religion, is able to say, "Hey, we're going to go and put a dump on the same land," or the same kind of land, about which they're trying to say on the other hand, "Oh, we want to protect these lands." It doesn't wash. The two don't mix. This is a government that can come along and do one thing one day and the opposite the next and forget that the two don't match. They can walk up and down both sides of the same street at the same time.

I find that the tremendous hypocrisy of government in Ontario, and it's the kind of thing that makes me say the intention behind the bill may be honourable: If we can do something to retain these lands, to keep them so that they're agricultural, to keep them so that they're parkland, to keep them so that people can continue to use them, let's do everything we possibly can to do it. To come along and take aim at the federal government and say it's all their fault without coming forward with some money from the province or from the communities to participate in solving the problem, just blaming someone else, isn't that the easy way of doing government?

Instead, let's do the responsible thing and stand up to the bar and see what we can do. I'm certainly prepared to help in any way possible to see that these lands stay open, can become part of our parkland, and to find some remedy to the problem. Don't just cast the blame on the federal government. Accept some of the responsibility at this level of government and at the municipal and regional governments so together we can sit around

the table instead of fighting, as we're so good at. This is not the way Canada is going to be successful. This is exactly the way Canada keeps going further and further into the ground, because we don't know how to work together.

**Mr Larry O'Connor (Durham-York):** I'm sure that my colleague from Durham West is going to talk about the early 1970s and the airport lands and how he was involved earlier on. At that point, I guess I was still in high school. But I want to talk about today, because I know there have been decisions coming. People have been talking about this for a long time. But frankly, when we have a democratic society like we have here in this country, we expect a responsible government. In responsible governments, well, governments make decisions about land purchases for public reasons. Okay, that's fine. I can accept that. Whether you agree or disagree is one side or another side of an issue. But when there are then decisions made to dispose of lands—that is, surplus lands—then let's be responsible again. Let's talk to people.

The government in Ottawa has been deciding this for a long time, and some of these people have been affected for a long time. They go back to the late 1980s, when some of the rumours were starting: "We're going to sell off some of these lands." Let me tell you, it's got to be very difficult.

If you take a look in the rural parts of my riding, the southern parts that are being affected here, we've got some nice little communities, Altona and Glasgow. They're just crossroads, really. But those people have built a sense of community.

If we looked at TV from when we were children, people of my generation looked at the Cleaver family, *Leave It to Beaver*. Back in those days, you used to go and borrow a pint of milk from your neighbour and stuff. That's a sense of community that doesn't exist in a lot of places any more, but if you go back into rural Ontario, then we actually have that sense of community there. That sense of community is a pride—

#### *Interjections.*

**Mr O'Connor:** If these people don't have any pride in their communities, I can't help them with that. I just wish they'd allow me the opportunity to speak for my constituents. Their concern is that they are being affected by this.

The first letter in this latest round appeared on my desk in early January, and I called up the constituent, who was very concerned about the government selling off this land: "They're not talking to us." Then the next letter showed up, a tenant. I've got the letters here. They're in the rural part of Uxbridge township. Let me just read a little part of this:

"This takes in the two hamlets of Glasgow and Altona. To those of us that live in this area, these two hamlets are really just one whole community. There is

still a fair number of original residents living there, and even more like my family that have been living there for a long time. My husband and I have been there for 15 years."

You've got to have a sense of community after 15 years of living in a community. So I was distressed. They came to me, and some of them are here today. I thank them for coming down.

I was distressed that they weren't getting consulted. I sent a letter off right away to the Minister of State (Transport). It's very simple, that I've received a number of letters of concern from constituents of mine regarding the sale of the airport lands, and if there's any news, would they please keep me up to date. Well, that didn't happen. From one government member to another, that didn't even happen. It just destroys faith between people if we as government members can't try to cooperate with people.

I received another letter in response to that: Yes, I'll be put on the mailing list. It's rather a form one. I appreciated the response, that I was going to get that. Well, I got a call that they had opened up a public information office and they're going to hold public information, but I found that out from one of my constituents. They opened up the information office, they closed the information office, and I didn't even hear anything from the Minister of State (Transport) in Ottawa. So I sent a letter. They sent a letter saying, "We're sorry that we didn't include you and let you know that this was happening."

I've stated the concerns that my constituents have, and I think that's what we have to do. We have to be responsible. When we talk about governments moving and doing something positive in saving green space, that's really positive.

If we take a look at the Walker property, for example, in part of Uxbridge, if we go back to the early 1920s, the Oak Ridges moraine ended up a desert, the reason being that people started farming in the south part of what was Ontario county at the time. The good farm land was gone quickly and then they moved up on to the moraine and started farming, but unfortunately it wasn't good farm land. It ended up like a desert.

Here we have Mr and Mrs Walker: They buy some of the land, start planting trees, and here we are seven years later, a year ago in the spring, and we had an opportunity, with cooperation of the Metro conservation authority, to protect some very valuable green space on the Oak Ridges moraine. That's cooperation. That's working with people. In fact, the Durham Environmental Network held a walk just through the woods, through the Walker property, opened it up to the public so the public could get a chance to stroll through some of the finest hardwood forest the province has, less than an hour from Toronto. It was because of cooperation: government being responsible and working with other



agencies to have something happen.

Here was a tenant who had been a tenant for a long time on the property and had turned a desert wasteland on the Oak Ridges moraine, on the headwaters of the Duffin Creek, into a very good aquifer holding area for those valuable resources. We should never discount what one person can do. We should never discount the fact that, well, we've got some tenants here. "Let's sell the land off. We've got a fire sale. We've got to move quickly." Let's talk to these people. As I said in this Legislature on October 6, these people in some cases are young families. Some are seniors. Some are disabled people. These people are tenants and they deserve an opportunity to discuss and talk about an orderly sale. Let's include them in the process.

Including them in the process isn't opening up a public information centre, saying, "We want to talk to you," and then closing it up and saying, "Oh, sorry, we're not going to talk about it right now." I guess it doesn't make sense to talk about it; maybe there's a federal election on. I find that very disheartening.

1140

These people have been living this time, through this very difficult period, and I think there needs to be an opening up. That's why the government of Ontario had to move in: to try to ensure that there be some openness here.

I want to close with that. I've been involved in this process not nearly as long as some of my colleagues, but when we have a sense of community, of real community, of people, families that are sharing property together—maybe they just live on the land and the farmer is using the rented property from the federal government to do some active farming. We shouldn't discourage good farm land. We shouldn't discourage it from being used for farm land.

I support this resolution. I appreciate my colleague bringing it forward. I think it's an important time. I think we have to protect our agricultural resources as well as our natural resources, and we need to include people as much as we can.

**Mr Curling:** I just want, in the short time I have, to commend Lois James and the Save the Rouge people, who have been advocating the protection of good, valuable lands and using them for proper purposes for a very, very long time. I want to welcome them here. Continue your struggle. I remember the time when the People or Planes struggle went on. That was quite an event and continued to be that the people's voice be heard. They have been an influence in protecting valuable lands.

I'm really impressed that the government has come forward on protecting this land. As a matter of fact, the Rouge Valley, as you know, one of the most beautiful places in the world, is situated in Scarborough North, my riding, which I'm proud to represent, the riding

which this government at one stage was having some thoughts of putting a dump site near. Can you imagine that?

To say to them that they'll put a dump site there—we were in shock. We were in complete disarray. As a matter of fact, the Tories have said, "We will put \$10 million there in order to protect the Rouge," but there are of course a tremendous number of hurdles before they can get the \$10 million for a park. No, it's government paying lipservice to the main and most important issue of protecting that land. So let us as politicians not continue to play this game.

I recall too the great Honourable Bob Rae, then the Leader of the Opposition, standing in the Rouge and calling the leader, David Peterson, a liar when he was trying, struggling, very much so, in order to protect the place. Then here we are now, coming in so holy that we want to protect that. Let's take them up on their word. Let's say yes, that the federal government, the Tories who want to sell these lands without having a concept of how we should use them, and the government here, which is also trying to speculate in all kinds of respects, saying, "Maybe we should put a dump site near there"—of all the things, the hypocrisy in those kinds of statements.

We must make sure that we get our priorities right. The people themselves are saying to you, and listen to them carefully, "This valuable land around here must be used for good and proper usage." Of course, they are willing to sit down for proper consultation, something the NDP government hasn't any concept of, what the word "consultation" is about. If I had two hours here, I would tell you how they reneged in the consultative manner in which they have proceeded on many, many bills.

The federal government, of course, with its debt, repentant, sells off the airport, sells off that, gives its friends all kinds of jobs and now says that it wants to sell these lands.

Let us be consistent. Look at the people who live there, who understand the issue, who know what the purpose of the land should be. I remember our mayor, Joyce Trimmer, who wanted to build executive houses in the Rouge Valley and then found that the people said, "No, let us preserve that land." I commend them for coming here and fighting for their cause.

**The Deputy Speaker:** Thank you. The member for Stormont-Dundas-Glengarry and East Grenville.

**Mr Noble Villeneuve (S-D-G & East Grenville):** Thank you, Mr Speaker, you got it all in. I am also pleased to participate in this debate for a very short period of time, in the time allotted in private members' hour.

The interesting thing that I find is that the parliamentary assistant to the Minister of Agriculture and Food is bringing forth a resolution. It has a great deal of politi-

cal overtones. Do you recall not too long ago the city of London annexed 64,000 acres of farm land from Middlesex county? The member for Middlesex stood up and fought it. Would you believe that she was a member of the government and she fought that annexation tooth and nail?

What do we have now? We have the parliamentary assistant to the Minister of Agriculture bringing forth a very political resolution. But 5,100 acres are involved, when indeed he supported a 64,000-acre annexation, in spite of his own colleague from his own party being totally opposed.

I'll read just a little bit of information that might intimidate the government a little bit. It comes from the Middlesex Women for the Support of Agriculture, totally fighting Bill 75, the London annexation of 64,000 acres. Some of the points that were made I will repeat, just to make sure that this government remembers what happened only six months ago.

"We recognize and appreciate the importance of agriculture in the life and the economy of Ontario. The city of London has a record of land mismanagement. There is a lack of rural representation in the proposed new city.

"If Bill 75 is approved as is, 38% of Middlesex county's commercial and industrial tax base will be confiscated by the city.... Ultimately, this will take taxes away from all of southwestern Ontario's" rural "tax base."

This and numerous other comments were made against the London annexation. This government steamrollered it through 64,000 acres of Middlesex's finest rural property in an area where heat units will allow you to grow just about any crop in the 3,000 to 3,300 heat unit range. Yet this government comes up and the parliamentary assistant to the Minister of Agriculture brings in a ballot item this morning to protect 5,100 acres that happen to be owned by the government of Canada—a little bit political and a little bit cynical.

Yes, we must preserve farm land. We must also preserve the people who farm it, the farmers. Would you believe that in the last two years, the Ministry of Agriculture and Food had a reduction of 10% of its budget on an annual basis? Yet this government wants to preserve agricultural land, at least it says so, in spite of the 64,000-acre annexation by the city of London.

I think, with all due respect to the member who brought this forward, it's way too political even to be debated. You've got to do what you say you're going to do. Don't go saying one thing and doing the opposite. I think this bill cannot be supported because of the inconsistency that this government has shown over its last year or two.

**Mr Jim Wiseman (Durham West):** It's my pleasure to rise on this occasion to speak to this because, quite

frankly, for me this is not a political issue. This is an issue that I began in 1972 as a student belonging to no political party and fought against the expropriation of these lands because it was wrong then and it's wrong today for the federal government to continue in its policies of not including the residents in planning.

I think we have to stop this political rhetoric around this land and start to say what is most important. This issue is primarily a people issue in terms of the tenants and what's going to happen to them. It's an agricultural land preservation issue, because most of this land is class 1 agricultural land, with some class 2 and class 3 thrown in. It's also an environmental issue because it is adjacent to one of the largest parks in the world in terms of its urban proximity to a city.

**1150**

I think we need to have some idea of how big a parcel of land we're talking about. While I know it's not correct in terms of being able to use visual aids in this chamber, I would ask indulgence. This is a satellite photograph of the greater Toronto area. Toronto is here. The parcel of land that we're talking about, the parcel of land that we need to plan is 60 square miles, the size of the city of Toronto. When it overlays this area, you can see the size, you can see how important this piece of land is in terms of its size, its agricultural production and its agricultural capacity.

Just to give this chamber and others an idea of what this land was capable of producing at its height, I will read from a book that was spawned out of the mismanagement of the whole issue back in 1972. It's written by Walter Stewart and it's called *Paper Juggernaut*. I think it's important that we recognize that we're not just talking about preservation of agricultural land and people here; we can also say that this area can produce jobs. Just listen to the capacity that this land was capable of at that time. This is a quote from Walter Stewart.

"Once, four million gallons of milk were taken off this land every year, and every year the area poured out 200,000 eggs, over a million pounds of beef, 375,000 pounds of pork, 45,000 bushels of wheat and 30,000 chickens. But these were the crops of people who grew up here. Now what the area grows mostly is a hell of a lot of corn."

He goes on to say, "It was not a hurricane that devastated this area. Neither flood nor fire nor famine wreaked this havoc. The destruction was entirely man-made, the byproduct of misdirected memos."

I think we have to understand that what we're talking about here is a new phase in the issue of this land. With the sweetheart deal that was signed with the Tories for the Pearson International Airport, the airport in Pickering is dead. Now, more than ever, we need to have a planning process in place that allows us to plan not just for the 5,100 acres that are now to be sold but



for all 18,600 acres of the federal land. It needs to be included with the 8,000 acres of the provincial land, where this provincial government is undergoing a process to determine what best that future is for those people who live there and for the land in its agricultural capacity.

Again, if you take a look at the map, we're talking about a line across here of the Oak Ridges moraine, where this government has instituted a study to determine what is best for this area and how to preserve its natural and agricultural and environmental heritage. But this study too will be ignored by the selling off of this land in small parcels that make no sense either environmentally or agriculturally, nor will it stem the urban sprawl that is costing the taxpayers of this province so mightily in terms of paying for the infrastructure that cannot be paid for out of the taxes.

In fact the Metro Toronto and Region Conservation Authority has indicated that the river valley systems—Petticoat Creek, which has its roots in the middle of these lands, tributaries of the Rouge, tributaries of Duffin Creek, both east and west—come out of these lands. These are important fish grounds. These are cold water spawning grounds and we need to preserve them. We need to plan in order to do this.

This land is adjacent to the Rouge park. There are wildlife corridors that can be planned to encourage and enhance the genetic diversity of the species in this area, but all of this will be lost if this land is sold off in a way that makes no economic sense.

The federal government has promised that it will participate in the creation of the Rouge park to the tune of \$10 million. We are still waiting for some of that money to be allocated into this park and in this place at this time so that we can preserve the land.

I think it's important to recognize that the municipalities in this area do not support this premature selling off of the land, and we need to recognize that this land needs to be preserved.

In the closing minutes that I have, with the death of this airport, I reiterate that we need to plan and we need to do it in a way that makes sense.

David Crombie, in his early years as the mayor of Toronto passed a resolution, in 1972, saying that it was a mistake to take this land. Again, in the watershed report of the royal commission on the waterfront he made two recommendations, number 79 and number 80, that indicated that this area should be planned jointly.

The train went on the track. The feds put the train on the track when they told the residents that they had 30-day leases, and then they gave the province and the municipality 30 days to make an indication as to whether they were going to buy it or not. That's what got this process going and that's why it was short-circuited.

I would just like to quote from Isobel Thompson in the closing moments I have:

"What this did socially will never be measured. The families that were broken up, the neighbours who turned against each other, the friends who fell out, the people who took to drink, the hearts that went, the way it affected people. How many moved, how many gave up, how many turned against government, any government? There was no humanity in them. Old people would call at 11 o'clock at night, frightened out of their wits, and we would have to go over and calm them. To the government, they were just so many bodies to be moved."

I submit to you that they aren't so many bodies to be moved; they need to be protected, and this Legislature should do so.

**The Deputy Speaker:** The member for Huron has two minutes to reply.

**Mr Klopp:** I'd like to thank all the members who participated today. I think Gerry Phillips, the member for Scarborough-Agincourt, made a very good opening remark when he said there are some decisions in this House that you can reverse, as different governments come and go, but there are others that you make a decision on and there is no reversing. I think those are wise words.

I'd like to thank the Durham-York and Durham West members who have done a lot, since their election in the fall of 1990, on this issue. In fact, if I can go back to the member for Markham and his comments about how the federal government announced in 1978 that it was going to sell, so what's the surprise, well, the surprise is that it never consulted properly. In fact, since we've been here in 1990 our government has pushed, along with the groups that are here today, to get some discussion going, and it hasn't been done. It's a little bit like telling someone, "Get ready, there's going to be a race," and then all of a sudden yelling, "Start." You're told, "Well, I told you there's going to be a race," but you were never given any good planning. That's what this is about.

Mr Cousens touched a little bit on Bill 143. Well, I find that just sad. The members in the area of the GTA would like to have it both ways, some of the members. They want the waste to go my riding, to Huron, and not fix the problem. I think Bill 143 was needed. People in the areas have to fix their problems. This government, on the other side, has pushed very much for waste reduction in a way that no other government has done. In fact it even makes it a little difficult for industry that we've pushed for tougher rules. The member for Markham stands up lots of times and says the government's against business. I find that to be totally sad.

To my colleague for S-D-G, I appreciate his comments about Bill 75. I was a strong opponent of that issue. One of the things that MMA and the city all

agreed to was that we'd have tough land preservation for the lands in that area, the city. I am going to hold him to that.

In closing, I'd appreciate your support. In fact, I remember the PC member Dianne Cunningham who wanted the London annexation. Thank you very much. I hope we can all vote on this. Take care.

**The Deputy Speaker:** The time allotted for private members' business has expired.

#### CIVIL RIGHTS PROTECTION ACT, 1993

#### LOI DE 1993 SUR LA PROTECTION DES DROITS CIVILS

**The Deputy Speaker (Mr Gilles E. Morin):** We will deal first with ballot item number 27 standing in the name of Mr Harnick. If any members are opposed to a vote on this ballot item, will they please rise.

Mr Harnick has moved second reading of Bill 56, An Act to protect the Civil Rights of Persons in Ontario. Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 94(k), the bill is referred to the committee of the whole House.

**Mr Charles Harnick (Willowdale):** I wonder if this bill can be referred to the standing committee on administration of justice.

**The Deputy Speaker:** Shall the bill be referred to the standing committee of justice? All those in favour of this question will please rise and remain standing. A majority of the House being in agreement, this bill stands referred to the standing committee of justice.

#### PICKERING AIRPORT LAND

**The Deputy Speaker (Mr Gilles E. Morin):** We will now deal with ballot item number 28 standing in the name of Mr Klopp. If any members are opposed to a vote on this ballot item, will they please rise.

Mr Klopp has moved private member's notice of motion 26. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

We've debated all the matters we had to debate. Therefore, I will leave the chair and the House will resume at 1:30 of the clock this afternoon.

*The House recessed from 1201 to 1331.*

#### MEMBERS' STATEMENTS

#### PROGRAMME D'ALPHABÉTISATION

**M. Bernard Grandmaître (Ottawa-Est) :** Trente-cinq pour cent de la population franco-ontarienne active est incapable de lire et d'écrire suffisamment bien pour fonctionner de manière normale dans la vie de tous les jours. Son pourcentage d'analphabétisme est deux fois plus élevé que chez les anglophones ontariens.

Dans les dix dernières années, des progrès importants avaient été faits en matière d'alphabétisme des francophones. Le gouvernement met maintenant ces acquis en danger.

Il y a d'abord le problème du transfert de la responsabilité de l'alphabétisation au Conseil ontarien de formation et d'adaptation de la main-d'oeuvre. Je pense, comme la majorité des intéressés, que les besoins des analphabètes dépassent largement les cadres de la formation professionnelle. J'espère que le ministre délégué aux Affaires francophones est d'accord avec moi.

Ensuite, je crois qu'il est inacceptable qu'il n'y ait qu'un représentant francophone sur plus de 20 au sein de cette commission.

Je sais aussi que la plupart des fonctionnaires de niveau intermédiaire responsables de l'alphabétisation en français ont été mis à pied ou sont en congé prolongé. On parle de conflits d'intérêt ; on parle de harcèlement.

En plus de cela, des groupes d'alphabétisation francophones nous ont dit que leur survie même était menacée puisque le gouvernement avait coupé jusqu'à 50 % du budget de plusieurs de ces organismes.

L'alphabétisation en français est un programme important.

#### TEACHERS' DISPUTE

**Mr Ernie L. Eves (Parry Sound):** I rise in the House today to advise members that the elementary teachers of the East Parry Sound Board of Education have been on strike for the past five instructional days.

I am certain we all share the belief that the primary responsibility of both boards of education and teachers is the instruction of students. We cannot allow the education of our young people to be jeopardized. I have spoken to both the Minister of Education and Training and representatives of the Education Relations Commission on several occasions in order to impress upon them the need to resolve this issue.

Having experienced a similar situation in west Parry Sound in 1982 that took some 51 instructional days and three months to resolve, I am well aware of the negative impact which strikes have on our students and the bitterness that they create in the communities they serve. We cannot allow this ordeal to be repeated in east Parry Sound.

I have received hundreds of phone calls over the past week and a half from concerned parents, students, ratepayers and educators expressing their concerns about this matter. They want the minister to take the initiative to terminate this impasse. I could not agree with them more wholeheartedly and I want to know what steps the Minister of Education is taking to ensure that the students' education is not jeopardized and that this matter is resolved as expeditiously as possible, in a manner that is fair and equitable to all concerned.



## INTERNATIONAL TRADE

**Mrs Irene Mathysen (Middlesex):** Yesterday, the Premier announced that the government of Ontario would act upon the clear directive given by Ontarians to the cabinet committee on the North American free trade agreement that we must challenge NAFTA.

Last spring in public hearings, witness after witness from social advocacy, environmental, labour, academic, senior, student, teaching, ecumenical, unemployed worker and agricultural groups and trade experts urged the government of Ontario to use every means possible to resist NAFTA. In most cases, those who came to the committee hearings were the victims of the free trade agreement that Brian Mulroney said in 1984 he would never pursue.

As it happens, free trade has indeed cost Ontario tens of thousands of jobs, put horrendous pressure on our social programs and jeopardized those who are the most vulnerable members of our society. NAFTA will further erode our ability as a province to protect resources like water and energy, protect our environment, ensure safe and fair labour practices and ensure the continuance of health care and social programs.

That we must resist this deplorable violation of our society and provincial jurisdiction is without question. What is galling is the irresponsible conduct yesterday of the opposition parties. Clearly, they are supporters of federal Tories who created this despicable trade deal and the federal Liberals too cowardly to speak out against it.

## ONTARIO ECONOMY

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased to announce that this morning the standing committee on finance and economic affairs agreed to a proposal the Liberal caucus put before it, and that is that the committee conduct a study of the underground economy.

This is a significant problem, in our opinion, for the economy of Ontario and one that I think will benefit very much from a public airing. So I'm pleased that the Conservative Party and, this morning, the caucus of the NDP agreed to allow this study to go forward.

I'm hopeful that we will have, firstly, a thoughtful analysis of the problem. I'm also hopeful that many of the interested parties that have a view on the underground economy will have an opportunity to publicly come before the committee and give us their thoughts on not just the size of the problem and some of the root causes of the problem, but also some of the recommendations for the Legislature on possible solutions.

I'm not naive enough to underestimate the complexity of the problem, but clearly, as we look at the challenges of revenue, the challenges that we see demonstrated daily in Cornwall with tobacco smuggling, and the problems that we hear from people in the home renovation business, it's an issue that deserves a public airing.

I'm pleased that we will be doing that through our finance and economic affairs committee.

## TEACHER'S DISPUTE

**Mrs Dianne Cunningham (London North):** Today is day 24 of the Lambton county teachers' strike, which is affecting 6,700 students. The issue is pupil-teacher ratio. Because of the government's social contract cuts, the board must cut its expenditures. All would agree they cannot resort to the local tax base for further dollars; there's no more money.

I've asked the minister twice to show leadership and legislate the teachers back to work. In his response to my question on October 12, he stated, "We have a process in place and everybody's rights have to be respected." What about the students' rights? They are the most important party in this dispute and they are in a semestered school.

He also stated on October 12 that there is precedence for legislating teachers back to work. In June 1981, the Minister of Education, the Honourable Bette Stephenson, introduced legislation, Bill 124, an act to terminate the secondary school strike in Leeds and Grenville. Even though the Education Relations Commission reported "an absence of convincing evidence that jeopardy to courses of study exists at this time," she tabled this legislation. This legislation was intended to assist the parties to resolve the dispute, and it was really successful.

We understand the minister will be meeting with the ERC today and we expect leadership. We look forward to the tabling of legislation on Monday, October 18, for two reasons: first, to assist the parties in a resolution; and secondly, so that students will know exactly when they can get back to the classroom, where they deserve to be.

TWINNING OF ST CATHARINES  
AND PORT OF SPAIN

**Ms Christel Haeck (St Catharines-Brock):** It is my pleasure to draw to your attention an event which has occurred quite recently in the city of St Catharines. St Catharines and the city of Port of Spain in Trinidad and Tobago have now completed 25 years of being twinned.

Back in 1968, not many other communities saw the advantage of mondialization. I know not many members will have heard the term "mondialization," but as a theory it attempts to bring about the universal understanding of different peoples by promoting cooperation and tolerance.

Citizens of both communities regularly travel back and forth to share major activities in their respective communities. February 1993 saw St Catharines send a large contingent to enjoy the carnival season in Trinidad and Tobago. This past September witnessed 70 visitors who came to our fair city to participate in the Niagara Grape and Wine Festival.

It is my belief that twinning has provided St Catharines with an appreciation of a culture somewhat different from our own. Many friendships have developed, and out of this have sprung a number of business relationships to the advantage of both parties, both in St Catharines and in the city of Port of Spain.

To all of the volunteers in both communities, my heartfelt thanks for 25 years of commitment and dedication. The next 25 years will present many challenges but in truth can only serve to ensure peace and cooperation.

1340

#### VIOLENCE

**Mr James J. Bradley (St Catharines):** The revelation that collector cards depicting individuals who have committed heinous crimes may be distributed in Ontario is revolting to everyone who has viewed the horror and sadness faced by the families and friends of victims of crime in their communities.

Those of us who have shared the pain and anguish of the families of Kristen French of St Catharines and Leslie Mahaffy of Burlington find it difficult to believe that the editors of Eclipse Comics would find it necessary to publish, among their true crime trading cards, the individuals who have been accused of participation in the murder of these innocent young people. The insensitivity of those responsible for this act is reprehensible, and their greed, which motivates them to appeal to the base instincts of people, is to be condemned.

I call upon the Attorney General of Ontario to introduce legislation which will prohibit the sale of this tasteless and hurtful material to the public, and in particular to young, impressionable boys and girls. Those who cry censorship should meet the parents, family and friends of the young victims. If they did, and if they possessed an ounce of decency and compassion, they would support legislation and the condemnation of this publication.

#### WOMEN'S SUFFRAGE

**Mrs Margaret Marland (Mississauga South):** On behalf of the PC caucus, I rise in the House to recognize the 64th anniversary of the "persons" case, a precedent-setting decision by the Privy Council of Great Britain which declared that women were in fact persons and were eligible to hold public office.

The decision in the "persons" case was strongly influenced by the efforts of five Alberta suffragettes: Henrietta Muir Edwards, Nellie McClung, Louise McKinney, Emily Murphy and Irene Parlby. We applaud these remarkable women and the countless others who have fought for women's rights.

This morning, the Toronto branch of the Women's Legal Education and Action Fund, or LEAF, held its eighth annual Persons Day breakfast, which the leader of my party attended. LEAF is a national non-profit organization which litigates precedent-setting equality

cases and provides public education on the issues of gender, equality and justice.

Women have made great strides since the "persons" case. We have been to outer space, we have served as justices on the Supreme Court of Canada, and Kim Campbell is this country's first female Prime Minister.

Despite these accomplishments, full equality has yet to be achieved. However, thanks to the vital work of the suffragettes, LEAF and others, the barriers to equality for women are being removed.

#### HEALTH SERVICES

**Mr Derek Fletcher (Guelph):** National Medicare Day is approaching. It's a day of protest about what's happening with medicare in Canada.

As you know, Ottawa has been destroying our health care system, and so far it's slashed funding by about \$34 billion. Ottawa has massively cut its share of spending on health care and higher education in Ontario. These transfer payments have declined from a high of almost 52% in 1979-80 to 31% in 1993-94. Ontario alone will lose \$2.7 billion in 1993-94 as a result of Ottawa's cuts to the programs that have made us the envy of the world.

Since 1982-83, Ontario has lost almost \$15 billion in health and education funding. Total losses for all the provinces since 1982-83 amount to almost \$41 billion. It's shocking. It's an assault on our elderly and our children. While Ottawa continues to suck the lifeblood out of public-funded and universally accessible health care, the provinces are left to preserve the services in our hospitals, doctors' offices, clinics and community health centres.

This government has fought to preserve health care. We've done this by preserving access to health care services, expanding community services and reforming programs. People should be asking if their elected officials in Ottawa support the Canada Health Act and if their elected officials in Ottawa are going to restore transfer payments. These cuts are a disgrace to the social values Canadians hold.

#### VISITOR

**The Speaker (Hon David Warner):** I invite all members to join me in welcoming to our chamber this afternoon a former member of the assembly from the riding of Perth and indeed a former Speaker of the assembly, the honourable Hugh Edighoffer, seated in the Speaker's gallery. Welcome.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### DISCLOSURE OF FINANCIAL INFORMATION

**Hon Floyd Laughren (Minister of Finance):** I rise today to announce new regulations on disclosing the compensation paid to executives of companies which are publicly traded in Ontario.

The new regulations will require that companies tell



their shareholders the compensation paid to their chief executive officer and each of their other top four executives. They will also have to explain the process by which those decisions were reached. Previously, companies had to disclose only an aggregate total for all executives.

As well, we will require companies to show investors how their shares have performed against a market average over the last five years.

Companies will also have to reveal non-routine loans they have made or guaranteed to directors, executives, senior officers and others.

These changes benefit a very large group; namely, individual and institutional investors that have put their money into companies whose shares trade publicly in Ontario. They have taken on ownership, with all the risks and rewards that attach to ownership. We believe they, in return, have a right to full information on the companies they own. In particular, they have a right to know how much the people who run those companies are paid and how that decision was reached. These new regulations will ensure that they are told, and told in a way that is complete and easy to understand.

By making these changes, we are responding to investors who have urged that Ontario set higher standards of disclosure. These new rules make our disclosure requirements very similar to those in the United States. They put Ontario at the forefront of openness and accountability to shareholders.

These changes give shareholders the information they need in order to compare a company's performance with the way it rewards its top people. We are showing that we are committed to the investor's right to make informed decisions, which is the basis of a healthy financial system.

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased to respond. The basis on which we evaluate any proposal like this is: Will it help our investors? Will it help to attract investors to the Ontario economy? Will it help Ontario companies to stay here and grow? Will it help to develop capital?

I think that for the investors there is an opportunity to have a better understanding of both how the executives are compensated and also how they are rewarded for performance in these proposals. While I appreciate that there are strong arguments on both sides of this issue, and I am sure the Minister of Finance has heard those strong arguments, I suspect that if you use the litmus test that we use—which is: Will this help investors feel more confident? Will it help investors better understand how companies are run and motivated?—on balance it would come down more positively than negatively.

**Hon Mr Laughren:** It's a pretty tepid endorsement.

**Mr Phillips:** The Minister of Finance says "tepid

endorsement." I think he spent probably three years debating this issue and he appreciates that there are arguments on both sides.

1350

As we look down the road, I have no doubt that the future of our Ontario economy depends on our ability to grow what we will call home-based multinationals. They won't be the only salvation of our economy, but they will be an important element. An important element of that is having the environment where they can raise long-term patient capital, to use the jargon of the marketplace.

For the investors, I think this can provide some element of comfort for them. For the companies themselves, some of them may be somewhat ambivalent about it. While this may not be something that would cause an organization to choose to raise its money elsewhere, I think as we look at the totality of the environment here, one thing we have to always be vigilant of is, can we develop major, long-term, home-based multinationals here? As I say, I think that on balance this proposal may be helpful for raising capital. I don't think it will be the sort of proposal that would cause any organization to choose to not list on the Ontario market.

On a similar note, while we in the public arena are demanding of the private sector fuller disclosure, it's only fair to say that I have an awful lot of comments from the private sector on the public sector doing a better job of disclosing its finances.

It was the Provincial Auditor who, in his report dated July 23, 1993, made a recommendation which we fully support; in fact, we've made this proposal publicly several times. The Provincial Auditor is saying it is time to change the way the province reports its finances. He makes a very strong recommendation that we apply to ourselves the same kind of medicine we apply to the private sector. He says here:

"Therefore, during the 1993-94 fiscal year, I will strongly urge the government to base the financial statements on the recommendations of the public sector accounting and auditing board of the Canadian Institute of Chartered Accountants."

There is no doubt that if the Ontario government were a company, you could never get listed on the Ontario stock exchange. It would be impossible. There is no auditor who would sign the books. Now, the government's doing nothing illegal, the government is operating within its legal rights, but the books don't represent the state of the finances in the province.

I think the private sector has every right to say to us, to say to the Minister of Finance, "It is time that you apply the same restrictions on yourself, the same accounting techniques on yourself, as you apply to us." We don't mind that. While the recommendations from the Minister of Finance today are useful and interesting,

I think we also have an equally large task to apply to ourselves.

**Mr Chris Stockwell (Etobicoke West):** The first thing we might add is that to some degree this government has inherited the problem with respect to government employees and disclosure of their amounts of money. It was the previous government, the Liberal government, that changed the program on how its disclosures were worked.

To say that and move on, though, would be unfair. If the government were being fair and upright, if it's going to want disclosure in private sector corporations of the four top-earning employees, including perks and all the rest that goes with private corporations, stock options and so on, surely to goodness it could apply the same rigid demands upon its own employees such as deputy ministers. We don't know how much a deputy minister earns; we've tried on many occasions, and all you get is a range. It's rather ironic that they insist that private sector companies dealing with private money must be more stringently controlled than public sector employees dealing with taxpayers' money. That is unacceptable to this party.

Further to that, you can't find out what an executive assistant to a minister earns, but we can find out what the chairman of Ford makes. That doesn't seem reasonable. To me, that's something this government should have a long, hard look at before it introduces this kind of stuff, which we know is in the same mould as its NAFTA announcement yesterday: It's propping up Audrey McLaughlin and solidifying her single-point status in the polls.

I asked the minister whether or not the unions must disclose under the same rigid formula that you're asking private sector corporations to disclose under. Apparently not. Why is it that private sector companies have to disclose when government employees and union executives don't have to? It seems they'd rather pick and choose how stringent and tough they are when it comes to payroll, perks and salaries, but they don't want to apply the same formula to their employees or their union buddies.

The government has suggested in this statement through the Treasurer, "These changes give shareholders the information they need in order to compare a company's performance with the way it rewards its top people." Well, I think the people of this province have a right to know about your performance and the rewards you're getting for your performance with the budget, the deficit and the preflows that you're obviously manipulating, according to the auditor, to make it look somewhat better than our fiscal outlook actually is.

The auditor himself has said, in response to this government and the previous government's attitude towards preflows and towards budgeting processes: "There is a perception that the government is in reality

managing and adjusting its actual results so they will more closely parallel its budgeted results. This, in turn, raises doubts concerning the integrity of the accounting process."

This is the auditor of the province of Ontario saying that he has serious doubts about the integrity of the accounting process by this government. That is shameful, absolutely shameful. The taxpayers don't know where they stand with respect to the deficit because you're manipulating the government. That's not me saying it; that's the auditor's statement.

I suggest it's ironic, hypocritical maybe, that you should come forward today and suggest private companies come clean when you can't even come clean yourself to the people who elected us, the taxpayers of the province of Ontario. This announcement is very ironic. I think the Treasurer would go a long way with the taxpayers of this province if, before he decides to clean up the private sector, the private sector that's struggling like hell to survive and then he puts more onerous and stringent controls on it—he should look inward and examine his own party, examine his own government and apply the same standards you ask private companies to live by to yourselves, because you're not doing it.

**Mr James J. Bradley (St Catharines):** Can I use the other 40 seconds?

**The Speaker (Hon David Warner):** No. As much as you would like that, it is now time for oral questions and the honourable Leader of the Opposition.

#### ORAL QUESTIONS

##### ONTARIO ECONOMY

**Mrs Lyn McLeod (Leader of the Opposition):** My first question is for the Minister of Finance. Minister, you may be aware that the Provincial Auditor appeared before the subcommittee of the standing committee on public accounts this morning. He drew to the attention of members of that subcommittee something which he considered to be a very serious matter.

The auditor told members of the subcommittee that, for the first time in Ontario's history, the auditor has refused to give an unqualified endorsement of the government's public accounts statement. Minister, I ask you today, what does that mean?

**Hon Floyd Laughren (Minister of Finance):** I suspect it means that he wouldn't have given your government an unqualified endorsement either. What it also means is that—

**Mr David Tilson (Dufferin-Peel):** That's not what it means at all.

**Hon Mr Laughren:** That's a fact. We in Finance have been having regular meetings with the auditor to discuss the ways in which the financial statements of the province are reported. The negotiations are going on in such a way that—



**Mrs Elinor Caplan (Oriole):** Negotiations?

**Hon Mr Laughren:** Yes, negotiations—in such a way that we can satisfy the Provincial Auditor's concerns.

**Mrs McLeod:** I think you have to come back to answer the question, when I ask, "What does it mean?" that it's quite clear from the auditor's statement, the area in which he has given his qualified opinion, that the auditor is saying your government has understated the deficit at year-end 1992-93. These are the public accounts statements that followed last year's budget and fiscal year.

1400

The Treasurer will certainly recall that we had a lot of concerns when he presented the budget in 1992-93. That was the budget we described as being a smoke-and-mirrors budget. That was the year in which we said from the day you presented your budget that you had underestimated your expenses and that you had overestimated your revenues. We raised a number of very specific concerns when that budget was presented. It became quite clear during the course of the year, Minister, that your budget projections were off.

I ask you again today to tell us, given the auditor's statement, what does it mean about the accuracy of the way in which your deficit was and is being reported?

**Hon Mr Laughren:** Perhaps it would be helpful if I outlined the main contention of the auditor's view of the way in which we report and record our revenues and expenditures. Just as in previous years, governments have preflowed money to pay for expenditures which would occur in the subsequent fiscal year. I can certainly remember, and I don't say this in a partisan way, the Liberal government getting a large increase in income tax settlements from the federal government it didn't expect, the opposite of what's going on now, and preflowed money for the next fiscal year. That was something the Provincial Auditor disagrees with; he thinks that's not appropriate, that we should be doing it in a different way.

Secondly, the auditor, I suspect, would prefer that everything was lumped together to show one big number. For example, you could even argue that Ontario Hydro's debt, which is guaranteed by the province, should be considered part of the provincial debt. Well, it's never happened in the province that I can recall, when Ontario Hydro's debt was considered part of the provincial debt, even though technically I can tell you the financial markets regard it as such. Financial markets look at whatever the province guarantees. They see that as part of the provincial debt. It really is a question of how the finances are reported, not whether we're hiding anything. That's not possible. It's not possible to hide the debt of Hydro or to hide—

**The Speaker (Hon David Warner):** Could the minister conclude his response, please.

**Hon Mr Laughren:** —the unfunded liability of the WCB. It's simply the way in which they're reported that is the matter of contention.

**Mrs McLeod:** I say to the minister that this is one time that it just won't work to try and dump it all back on a previous government. I remind the minister of what the auditor has said to the public accounts subcommittee today, that this is the first time in the history of the province of Ontario that the auditor has refused to give an unqualified endorsement of the public accounts statements.

Specifically, Minister, you will know that his concern with the 1992-93 reporting was that you failed to show the liability for full payment into the teachers' pension fund and that it is a legitimate part of the government's deficit position.

Minister, you will also know that we have raised, over and over again, our even greater concerns about the way in which this year's deficit figures are being projected and will be shown. The auditor has expressed his own serious reservations about some of the very creative ways in which your government is attempting to move its debt off the books and therefore show a deficit figure which is more favourable than reality would lead us to believe our financial situation is.

Minister, I say to you what we have been saying all along: Debt is debt; public confidence in your budget is essential and the people of this province have a right to know what the true financial picture of this province is.

I ask you today, Minister, will you undertake to tell us today what the true deficit picture is of the province of Ontario in a way that the auditor would accept as accurate?

**Hon Mr Laughren:** First of all, I made no attempt to dump anything on the former government. That's not the case. All I said was that if the public auditor was commenting on previous governments' budgets or reporting mechanisms or the way in which they report, I don't think that he would endorse them either because it's a change in the way the new auditor views the reporting of—

**Mrs Barbara Sullivan (Halton Centre):** He did.

**Hon Mr Laughren:** No, not this auditor. No, it's not true. That's simply not true. What I'm trying to say to the leader of the official opposition, if she'll listen, if she isn't totally programmed into what she believes and will listen to reason, is that at no point have we ever tried to disguise any aspect of our borrowing requirements. That would be foolhardy. That's simply not possible. I don't think, however, that because Ontario Hydro is off to the side and has a revenue-generating base and the WCB is off to the side with a revenue-generating base called assessments on employers—that's not trying to hide the deficit or the debt of the province, not at all. It's simply the way in which we report it. If you go back and read the budget document, we said that

we were not interested in trying to hide any aspect. We wouldn't get away with it anyway. No government could get away with it.

**Ms Dianne Poole (Eglinton):** You have tried.

**Hon Mr Laughren:** No, what we're really talking about here is the way in which it's put together and reported in the financial statements. That's all it is. We're working quite cooperatively with the auditor to see exactly what it is that he wants and how we can comply with it. There's no attempt to do an end run around the auditor. That would really be foolish and simply wouldn't fool anybody, even if the government tried to do it.

**The Speaker:** Would the minister conclude his response, please.

**Hon Mr Laughren:** So there's nothing untoward. There's no attempt to avoid any aspect of the debt, because you couldn't do it anyway.

#### VIOLENCE

**Mrs Lyn McLeod (Leader of the Opposition):** Since this is an issue that we, along with the auditor, undoubtedly will return to, I will move to another issue and place my second question to the Minister of Consumer and Commercial Relations.

Minister, last session we asked that you take action to stop the sale in Ontario of trading cards that glorify serial killers. Today, we learned that the company that makes these cards is intending to bring out a new series and that this new series is going to feature those who are accused in the Kristen French and the Leslie Mahaffy murders. Minister, the cards are to go on sale in Ontario in January.

I ask you, why will you not take action to ban the sale of serial killer trading cards in the province of Ontario before this new series is released?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** To the Leader of the Opposition, I do remember you asking me about this question. If you will recall, I believe in fact the question should go to the Attorney General, but she has said and I have said that I would love to be able to stop those cards from coming into Ontario. The Ontario Film Review Board has absolutely no jurisdiction in this area—unfortunately, in my view. The federal government has jurisdiction. I have written two letters now to the federal government asking that this be stopped and I would encourage you to do the same thing.

**Ms Dianne Poole (Eglinton):** You don't have to pass it to the feds. You have the right to do it.

**The Speaker (Hon David Warner):** Order. Would the minister take her seat, please.

**Mr Steven W. Mahoney (Mississauga West):** You can take NAFTA to court, but you can't do anything about this? Come on.

**Ms Poole:** You are the Minister of Consumer and

Commercial Relations. You have the power to do it.

**Mr Mahoney:** We would love her to answer it.

**Ms Poole:** You can prohibit their sale and you know it.

**The Speaker:** Minister.

**Hon Ms Churley:** I'm disturbed by the reaction I'm getting from the Liberal Party, because I want to say again, sincerely, that I wish that I did have the power to stop these cards from coming to Ontario. Believe me, I would act like that; it would be done. I don't. I have looked into any kind of loophole, any possibility that we can find within my ministry to ban those cards, and it cannot be done.

**Mr Gregory S. Sorbara (York Centre):** Bring a bill to this Parliament. You're a minister. Bring a bill to this Parliament. We'll pass it in one day.

**The Speaker:** Order. The member for York Centre, please come to order.

**Hon Ms Churley:** The federal government has complete jurisdiction in this area, and I'm appalled, to be frank, that it hasn't moved. They haven't even returned an answer to the letters I have written. I say again, I'm glad that you're raising this issue in the House. It's important that it be raised. It's important that people out there understand where the jurisdiction is and start writing letters and making phone calls. I encourage you to do the same.

**Mrs McLeod:** I'm glad the minister remembers that I did indeed raise this issue in the legislative session in the spring. I also remember the response I received from the government, which was again to say: "We will write to the federal government. We'll ask them to do something about the sale of serial killer cards in Ontario."

I ask the minister, why do you continue to use the federal government as a way of avoiding your own responsibilities? Why is it that you as the Minister of Consumer and Commercial Relations in Ontario can regulate the sale of cigarettes, you can regulate the sale of alcohol, you can decide essentially what movies we can watch, you certainly have it within your powers to decide whether we will or will not gamble in the province of Ontario, but you can't take action to ban serial killer trading cards?

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Minister, you do have the power to act. You regulate retail sales in the province of Ontario. The member from Eglinton has before this House a private member's resolution to ban the sale of serial killer cards in Ontario. I ask, will you support this legislation, support the ban of serial killer cards and ensure that the legislation is enacted before these new cards go on sale in January?

**Hon Ms Churley:** I appreciate that the Leader of the Opposition is giving me far more powers than I actually have. I understand the concerns and outrage which are



being expressed by the Liberals and everybody in this House. We all feel the same way about this. I will be following up—

*Interjections.*

**The Speaker:** Order. Minister.

**Hon Ms Churley:** As I was saying, I'm glad that people are raising the issue. I think we should all work together to deal with this problem. For you to get up and be silly about it and try to get me to do something that's impossible is ridiculous. This is a very serious issue that concerns all of us, it's something I think shouldn't be partisan and we should find the best way we can to make sure that these cards are banned not only from Ontario but from all of Canada.

**Mrs McLeod:** I really didn't think I was being particularly silly about this and I can tell the minister I'm not particularly objective about it either. I'm a mother and I have four daughters. This is not an issue that I think is deserving simply of a bureaucratic response or a put-down.

I'm telling you that the response you've given us in the House today, just like the response we got from the government last spring, offers very little comfort to the families that are involved in the murders that are going to be glorified in the new series that will be issued and sold in Ontario in January unless you take some action today.

You know, as we all know, that these serial cards glorify violence; they glorify the most appalling of crimes. The cards are widely available in Toronto. They are available in stores that sell trading cards to minors. Trading cards have traditionally been the way in which we glorify our sports heroes. Surely we are not in Ontario today telling our young people that they will glorify serial killers as their new heroes.

I say to you today that you do have the authority, that you can find the authority, that you can take decisive action. I ask how long you are going to simply evade the responsibility on this important issue rather than taking action. I urge you to take action today and I urge you to ensure that these new cards will not be available in this province in January.

**Hon Ms Churley:** I too have a daughter. Everybody in this House has daughters or granddaughters or wives. We all are concerned about this issue. It is not an issue only of concern to the Liberal Party. We all feel very strongly about it for all of the reasons, Madam Leader of the Opposition, you mentioned.

The Criminal Code has to be changed. In fact, right now the federal government has the power to stop it and it has not done so. They can do it, and if that would prove ineffectual, they could in fact change the Criminal Code to do so.

I urge everybody in this House again to keep raising the issue and keep raising it with the federal govern-

ment so these cards don't come anywhere within the boundaries of Canada.

#### PAROLE SYSTEM

**Mr Robert W. Runciman (Leeds-Grenville):** My question is for the Solicitor General and deals with the matter of one Clinton Suzack, who has been charged with the murder of police constable Joe MacDonald of Sudbury. News reports today indicate that Suzack was released by the Ontario parole board with an outstanding warrant on his record, an outstanding warrant from the province of Alberta in respect to violation of probation.

I want to ask the Solicitor General if the parole board has access to the criminal records of people applying for parole, and whether that includes outstanding warrants, including out-of-province outstanding warrants.

**Hon David Christopherson (Solicitor General):** As the honourable member knows, I cannot comment in any way that may—

**Mr Runciman:** I'm not asking you to.

**Hon Mr Christopherson:** If I could answer the question, Mr Speaker.

**Mr Runciman:** Stop being a turkey and answer the question then.

**Hon Floyd Laughren (Deputy Premier and Minister of Finance):** What a class act.

**Mr Runciman:** A class act! A cop was killed and we get that kind of answer.

**The Speaker (Hon David Warner):** Order. The member for Leeds-Grenville is asked to come to order.

**Hon Mr Christopherson:** As I was saying, I cannot say anything that could possibly impact on this individual case, and the honourable member knows that. However, generically, to answer the question of whether or not the parole board of Ontario as a policy has access to this information, it is my understanding that it does.

**Mr Runciman:** At the outset, I don't want to apologize for losing my temper, but I want to say that I think the people of Ontario are sick and tired of this kind of response. The minister gets up and says "generically." I asked him a specific question not dealing with the court case or the charges against this individual but the actions of the Ontario parole board.

This police officer was killed a number of days ago. Suzack was released on a decision of this parole board. A chairman who was appointed by the NDP as a matter of fact—

**The Speaker:** Are you posing a question?

**Mr Runciman:** This is a leader's question, Mr Speaker. I'd appreciate it if you'd give me an opportunity to pose the question for a change.

*Interjections.*

**The Speaker:** Order. I realize that the honourable member for Leeds-Grenville has a serious question

which he wishes to pose. It would be very helpful if the language is tempered and if members on both sides of the House would allow those asking and those responding the opportunity to be heard.

**Mr Runciman:** I think the minister has the responsibility to answer this directly. I asked former members of the Ontario parole board about this. They indicated to me that prison files were made available, including matters of outstanding warrants, which are red-flagged. I think it's very critical in respect to this particular decision: Was that material made available to the parole board, and if indeed it was, how in the world could they release this individual with an outstanding warrant there in front of them? How could they do that?

**Hon Mr Christopherson:** I think I did answer the question. With all due respect, I said it is my understanding that the parole board does have access to this information.

In answer to his supplementary question, the question on the specifics here, the member will know that on Tuesday I announced that I am initiating a review of this decision because I believe there are some questions that are being asked that deserve answers too.

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**Mr Runciman:** I want to get a commitment from the minister here today in respect to this decision. If indeed he finds out—and the suspicion is clearly there now, based on past precedents of this board—that they had this information before them, they made a decision to release an individual, apparently, with an outstanding warrant against him, I think if he can confirm that fact all of that board should be fired, because a policeman is dead because of that decision.

There's no doubt it contributed to the death of that police officer and I want a commitment from the minister today. Will he commit to turfing the complete Ontario parole board which made that kind of terrible, terrible decision?

**Hon Mr Christopherson:** I would expect that the honourable member in particular, of all people in this House, would feel very strongly about due process. I have indicated to the honourable member that on this issue—this important issue, this public issue—I wish answers to questions also. I think that the public is entitled to know how the process was conducted and any questions that may surround that process. Therefore, I have said that I will initiate a review of that decision and I will act on the results of that review.

To speak any earlier of taking action would clearly be extremely premature and I would ask the honourable member to allow all of the facts of the review to come forward to my office before we consider what should or should not happen as a result.

**The Speaker:** New question, the member for Etobicoke West.

**Mr Chris Stockwell (Etobicoke West):** It begs the question, what about the hearings they're having today?

**The Speaker:** To whom is your question addressed?  
ONTARIO ECONOMY

**Mr Chris Stockwell (Etobicoke West):** My question is to the Treasurer. The auditor has come out and has come as close in the history of this province as an auditor ever has to suggesting the government is in fact fudging the books.

Mr Speaker, through you to the Treasurer, the point was made within the text of his report that if the proper accounting system had been used last year, the deficit for this province would have been \$528 million higher. That is rather scary, not only for us in this room but for all the taxpayers in the province of Ontario. I put it to you very directly, Mr Treasurer, consider this report, consider the \$528-million higher deficit last year, what is the deficit that we are faced with in this province today?

**Hon Floyd Laughren (Minister of Finance):** As I indicated a couple of weeks ago, we believe that at the present time the deficit of the province, in the way in which we traditionally report it, will be somewhere between \$9.2 billion and \$9.6 billion this year.

Having said that, the auditor would disagree with that number. The auditor would say it is higher than that because of the way in which we have some what we call off-budget reporting of our financial affairs. I'm not disagreeing with the auditor. It's simply a case of how we report it. The auditor wants us to report our financial affairs in a way that's in keeping with generally—I can't remember the exact words—

*Interjections.*

**Hon Mr Laughren:** No, no, the way in which public sector accounts are traditionally reported. We are meeting with the auditor to see if we can work out an arrangement in which we can make him happy with the way we report our financial statements.

**Mr Stockwell:** I think it's somewhat confusing to the taxpayer in this province to see this kind of report. If any reasonable person were to read this kind of report, the only conclusion they would come to is the auditor is suggesting that you, the government, are fudging the books.

**Hon Mr Laughren:** Well, that's the way it is.

**Mr Stockwell:** You may say that, Mr Treasurer. You may say, "Well, that's the way it is," but the fact remains, no auditor has ever done this. No government has ever been put to the wall on how it calculates revenues and the shortfalls with which you have. I do respect the fact that you were put in this situation to a degree by the, I suppose, Laughren McLeod accounting firm, because it was the same auditor who suggested on the preflows that the perception is that the government is in reality—and this is very important—managing and



adjusting its actual results, thereby raising doubts concerning the integrity of the accounting process.

It seems incumbent on you, Mr Treasurer, for the sake of the surety that the taxpayers have in this government, that they can come forward and pick up an auditor's report that gives the government a clean bill of health. Sir, they didn't do that. I ask you, how can you get the comfort level of the auditor and the taxpayers back to ensure that when you tell us what the numbers are there's some credibility there?

**Hon Mr Laughren:** What the auditor is saying is that he wishes we would report the financial accounts of the province in a different way. It's nothing—

*Interjections.*

**The Speaker (Hon David Warner):** Order. Minister. Final supplementary.

**Mr Stockwell:** It's somewhat disappointing to have that kind of response. I believe very much that there is nothing more important to the taxpayers and the people of this province to know than when they get a fiscal report on the health of this province, it hasn't been played with, it hasn't been fudged, it hasn't been manipulated to make the government in power look better than the actual fiscal reality of the province is. There's nothing more important than that, nothing.

The auditor did come forward on your crown corporation piece of legislation and he again savaged that piece of legislation, suggesting you're only doing this to move payroll and debt off your books so you can camouflage the real results, and the real results are that this government is incompetent and fiscally irrational.

I ask you, Mr Treasurer, will you please adopt the report by the auditor, change the forecast, change the formulation of how you're fudging the books and withdraw that crown corporation bill that is causing him so much concern, because he's saying in his text that he believes you're this close to fudging the books in the province of Ontario.

**Hon Mr Laughren:** It's wonderful to get a lecture on rationality from the member for Etobicoke West.

I just want to assure members that what the Provincial Auditor's talking about is not whether or not we've disguised anything. That's not possible. It is not remotely possible to hide debt of the province of Ontario or any other province.

**Mr Ernie L. Eves (Parry Sound):** It certainly is. You hid \$563 million last year.

**Hon Mr Laughren:** No, the \$500 million is reported in the budget. It's reported in the financial statement. What the auditor is saying is, "We want you to report it in a different way," and we're saying to him: "Fine. Let's have a meeting with you and see the best way that we can accomplish your wishes." There's nothing untoward. There's nothing that fudges anything. It's simply a case—

**Mr Eves:** Why would the auditor do this?

**The Speaker:** Order.

**Hon Mr Laughren:** First of all, we have a new auditor in the province. There's no doubt in my mind that the auditor would not have approved of the way in which the former Liberal government preflowed funds or the former Conservative government did the same thing. There's no question in my mind about that.

Let's just put things in perspective and stop screaming and yelling that everybody's fudging the books. It's simply a case of us sitting down with the auditor and saying, "All right then, how can we satisfy you in such a way that you don't give a conditional approval to the way in which we present our financial statements?"

1430

#### HEALTH SERVICES

**Mrs Barbara Sullivan (Halton Centre):** My question is to the Minister of Health. You will know that in an unprecedented move, the minister is bargaining with the Ontario Medical Association as to what medical services in Ontario should be covered by medicare. The minister has prepared a list; the doctors have prepared a list. Both of those lists are of services that could be taken out of OHIP. The public has seen neither of these lists, not the minister's list nor the doctors' list. I'm asking the minister if she will tell us today what is on her list and what is on the doctors' list.

**Hon Ruth Grier (Minister of Health):** The member opposite, as did many members, expressed concern when earlier this year, as our ministry and our government wrestled with the expenditures of the health care system and for ways of preserving our system by maintaining the expenditures at a manageable level, we suggested that a number of procedures, such as the removal of tattoos and the reversal of vasectomies, might be delisted.

There was a great deal of concern about that, so in our negotiations with the Ontario Medical Association, we did, as the member for Halton Centre has said, agree that the Ontario Medical Association and the ministry would both submit a list of procedures that they believed were (a) not medically necessary and (b) might therefore not be covered by a health insurance plan.

What we also negotiated, and what is unique, is that there would be some public scrutiny and public discussion of those lists, and that will occur in due course. At that time, the member will of course be made aware of what the lists are, as will the people of the province of Ontario.

**Mrs Sullivan:** It's very clear that health care in Ontario is on the bargaining table. These negotiations are going on behind closed doors, out of public sight. The minister has never told the people of Ontario what she is willing to take out of medicare. She has placed the doctors in the invidious position of responding to a

list that was prepared previously, not by the medical community but by officials in her ministry.

The public does not know what's involved in the decision-making process or what right of appeal they may have of the deal that's ultimately made. Is it any wonder that people are of the view that this government is part of the dismantling of medicare in Canada, and is it any wonder that they are fearful?

I am asking again: Will the minister make public today the list of those items she is recommending be removed from medicare, and those procedures and services the doctors are recommending be taken off OHIP coverage, along with any other lists that her ministry is preparing or has prepared now for a second round of negotiations? Will you tell us today what's on those lists?

**Hon Mrs Grier:** The member's description of the process upon which we are engaged with the Ontario Medical Association and the construction that she puts on it couldn't be farther from the truth. In fact, unilaterally in the past, governments have decided what would be added and what would be removed from the insurance system.

What we have now done, as I explained in my answer to her first question, is to embark upon a process with the OMA. I would remind her that she was one of many members who suggested earlier this year that it was inappropriate for me, as minister, or for the government to decide what was medically necessary and what was not. Therefore, in discussions with the OMA, we negotiated a process whereby both the Ontario Medical Association and the ministry prepare a list of procedures that we do not consider to be medically necessary, such as the cosmetic procedures I have mentioned, that those be discussed and that there be some public discussion of that.

That is a first, that is unique and that is something of which I'm very proud. I look forward to having the debate.

#### EMPLOYMENT EQUITY

**Mr Chris Stockwell (Etobicoke West):** My question is to the Chair of Management Board. Chair, your government intends to pass employment equity legislation before Christmas that will mandate employment equity quotas in the private sector. I wonder if you can tell us if your government has reached its employment equity targets.

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet):** The member asks a very important question, and the answer to the question is quite simple: No, the government has not met its employment equity targets.

It is interesting, though, that this government, although we're still making progress and moving forward, for the first time has put in place monitoring

and reporting mechanisms that will allow us to ensure that the lack of success of the past can never be hidden in the huge Ontario public service bureaucracy again.

For example, we're actually looking at, in the current circumstance, not only the employment equity gains that we've made over the course of the last three years, but we're monitoring the impact of downsizing and the surplus process on employment equity so that we can ensure that the designated groups under the employment equity programs aren't adversely affected by the present unfortunate downsizing circumstances.

**Mr Stockwell:** That was the longest no I've heard in quite a while. According to a memo that I have from your deputy minister responsible for employment equity, you have not met your targets, and in particular, persons with disabilities and aboriginals are underrepresented in government. According to this memo, you intend to beef up your hiring efforts of these persons by spending additional money over the next few months to hire only persons from these groups.

Minister, is it really equitable when only persons with disabilities or aboriginal persons are eligible for public service jobs? You and the Liberals have spent over \$20 million in the last few years in an effort to meet your own targets, money, I might add, that isn't available to the private sector. With all that cash and staff, you can't even meet your own targets. You expect the private sector to meet them or else you intend to fine them up to \$50,000.

Minister, how can the private sector live up to your mandated standards when you can't even do it yourself?

**Hon Mr Charlton:** There are two areas of concern the member has raised in his question. Let me address first the last one he raised. The employment equity legislation in Bill 79, which my colleague is taking through the legislative process, will apply to the government as well as the private sector. In fact, the requirements of the legislation will force the government to comply before our private sector partners have to comply.

Secondly, the member has raised a reference to a memo, which he may have but which he has difficulty reading. The government has proceeded to put in place a positive measures program around employment equity issues, and that positive measures program will not in any way restrict jobs in the public service to designated groups. It will on some occasions, where a particular immovable barrier has been identified, allow us to ensure that barrier is removed.

**The Speaker (Hon David Warner):** New question, the member for Middlesex.

**Mrs Irene Mathyssen (Middlesex):** My question is for the Minister of Health.

*Interjections.*

**The Speaker:** Would the member take her seat.



*Interjections.*

**The Speaker:** The member for Middlesex.  
HEALTH SERVICES

**Mrs Irene Mathysen (Middlesex):** Thank you, Mr Speaker. As I was saying, my question is for the Minister of Health. Recently, a group of Middlesex optometrists provided me with information in regard to the clinical importance of the V402 examination. The concern expressed was the proposal to de-insure this optometric follow-up assessment or the possible de-insurance of this assessment without the de-insurance of an equivalent service provided by physicians.

I understand that optometrists have offered alternatives to delisting V402 and that there are discussions in regard to these alternatives. Do you plan to go ahead with the proposed delisting, and if so, will you be delisting also the service provided by physicians?

**Hon Ruth Grier (Minister of Health):** Let me say for the benefit of the House that the question raised by my colleague does not refer to the agreement between ourselves and the Ontario Medical Association but in fact to a procedure that is performed by optometrists.

I'm happy to let her know that in another and successful negotiation, the comprehensive social contract agreement, we have reached an agreement with the optometrists, and the billing code for the follow-up assessment that she describes, which I think is known as V402, will not be delisted.

Let me say to her that this is further evidence of the benefits of the social contract and that by working with health care professionals we can together find ways of maintaining our costs and preserving the health care system. I'm delighted to be able to reassure her on that count.

**Mrs Mathysen:** Can I assure optometrists that V402 will not be eliminated through some other process?

**Hon Mrs Grier:** Yes, the member can indeed assure optometrists that this procedure will not be delisted, and I hope she will also confirm to them that we are keeping our commitment to better managing our health care system and controlling our health care costs by working cooperatively with the professions in order to arrive at that end.

1440

## CHILD CARE

**Mrs Yvonne O'Neill (Ottawa-Rideau):** My question is to the Minister of Community and Social Services. Rumours are rampant, and secrecy and security, whether it be red paper or numbered copies, are almost extreme around your proposal to cabinet on child care reform. Many Ontarians, providers and recipients, are fearful that you're going to limit eligibility for the establishment of new child care spaces in this province to those and those only that are in school-based settings,

that you are going to limit eligibility for wage enhancement and direct operating grants to school-based child centres only.

That policy can only further erode parental choice in child care, child care which they consider best for their own families. Mr Minister, will you confirm that my information is based in fact?

**Hon Tony Silipo (Minister of Community and Social Services):** No, I will confirm that the information is not based in fact.

**Mrs O'Neill:** Mr Minister, there certainly has to be some basis in this rumour, because it's very detailed. What we get is very detailed information from people who do know.

Families of this province have varying needs in child care. They've been ignored by this government, for the most part. The needs in rural child care are those that demand attention; the situations are very different, and certainly there haven't been many spaces available in rural settings. There haven't been many spaces, if any, available in unusual hours, hours beyond the working day. Those are real needs of real people in this province in 1993.

The fears I related earlier spring from an inability of your government to be flexible in its application of child care reform in this province. I want you to guarantee to the people who are fearful of the rumours I presented that you are not going to limit eligibility, that you are not going to limit subsidy, that you are going to broaden criteria for child care in this province, as you made a small initiative earlier in this year, that you will continue to do that as part of the reform.

Minister, I'm asking you that question very pointedly: Are criteria for subsidy and for the development of child care centres going to be broadened in the reform?

**Hon Mr Silipo:** I can tell the member that as we move towards making some decisions on broader issues of reform of the child care system, I'll obviously be very happy to stand up in this House and explain what those directions are, and the member will have a chance to tell us whether she agrees or disagrees.

But I can tell her very clearly that the rumours she's hearing are not founded in fact. I'm very surprised by those rumours, by the way. I can tell her very clearly that we are looking very much at recognizing the varying needs, as she's acknowledged them and put them before us, in child care, because we know there are a variety of needs and a variety of ways.

The way we have continued to respond to those needs, both in the additional child care centres we have opened, which have been in a whole host of variety of places, some in school settings, some in community settings, and the additional subsidized spaces we've put into the system, 4,000 in a space of three months last spring and an additional 4,000 we expect will be in the

system before Christmas of this year, I think shows a very clear indication of the kind of level of support this government has for child care, and this is something I think we want to continue.

#### CHILDREN'S SERVICES

**Mr Cameron Jackson (Burlington South):** My question as well is to the Minister of Community and Social Services. My leader, Mike Harris, last week raised the issue of your unilateral action to implement a user fee system within your ministry to grab \$4.3 million of parental user fees and \$4.6 million of the federal child tax credit directly from the federal government that goes to children who are vulnerable in Ontario, and that you intend to implement this by November 1.

Minister, your staff seem to have arrived at these numbers without any accurate information, without any consultation and without any real basis. It is clear that the \$9 million to be collected through the remainder of this year and the \$14 million you plan to grab out of families in the subsequent year were pulled out of the same hat the Treasurer pulls his deficit figures out of.

My question to you is, as this is your bureaucratic screwup, with these numbers and these targets against children, will you not postpone the implementation date of November 1 and revise that to the new fiscal year, until proper consultation has occurred with the families of these vulnerable children and with the agencies that serve them best in this province?

**Hon Tony Silipo (Minister of Community and Social Services):** I appreciate the member's concern for the services that we provide to children. I mean that genuinely.

I do want to say to him that we are continuing our discussions with the agencies through the umbrella organizations they represent, a variety of children's agencies in the province. There is a meeting coming up early next week, on Monday, I believe. There is a survey that's being done, the results of which are coming in already, and we expect to have more in tomorrow. I think that information is being discussed and shared with the agencies. Those discussions will get us to being able to answer the questions the member has posed to us.

We have on the one hand a responsibility in this area to try to look at ways we can—not in the basic services we provide; I think it's important to keep stressing this. We're not interested in applying any kind of parental contribution or user fees in those areas, but we think there are some areas in which, just building on experiences that exist now in some agencies that do charge some of these fees, some things can be done. How we do that, exactly to what extent we can do that and what implications that has for the allocations for this year will really be dependent on those discussions with the agencies.

**Mr Jackson:** The minister is not discussing with agencies that serve thousands of vulnerable children in this province. They have presented an edict that this will be implemented November 1. They have presented numbers of targeted dollars, \$9 million that are going to be shortfalled agencies, which they need to continue to serve vulnerable children. This is an outrage, that you're charging these user fees without real consultation.

You are telling agencies in this province that they are now to become collection agencies, when all of their staff are trained in the process of counselling and providing services to children at risk. Front-line counsellors and social workers are not trained, I submit, nor does the law equip them in Ontario, to become bill collectors and collection agencies.

**The Speaker (Hon David Warner):** Could the member place a question.

**Mr Jackson:** Your message and your edict to children's aid society workers is, "The skills you need are not how to interview a child who may be a victim of sexual assault, but how well you can squeeze a Visa number out of their parents."

Again, Minister, I have to ask you: Legal questions remain unanswered, there are no accurate numbers from your ministry, so will you not postpone the implementation date of November 1 and move that to the new fiscal year so people can understand this harebrained scheme of yours to start gouging parents for fees because of their vulnerable children?

**Hon Mr Silipo:** What I want to reiterate for the member is that in fact that's the kind of discussion we are having and need to continue to have with our agencies. We'll make that decision once we have all the information in and once we've had those discussions with the agencies.

Let me also be very clear with the member, because he alluded to agencies becoming collection agencies. We are not talking about mandatory fees that would be established; we are talking about voluntary fees in certain areas where there are already some examples. I could cite just one example of one agency at least which we know asks parents to contribute towards the cost of driving young people to various events. It's those kinds of things that are not at the basis of the service we provide, not at the core service we provide.

Again, the extent to which we can do that and the extent to which we need to find these savings in other areas of the budget, together with the agencies, is exactly the kind of discussion we need to have and want to have with the agencies before we make final decisions around time lines and around expectations around the dollar figures.

1450

#### PROPERTY ASSESSMENT

**Mr Noel Duignan (Halton North):** My question is



to the Minister of Municipal Affairs. The minister may be very well aware of what's been happening in Halton region regarding the whole question of property tax reform. As you're no doubt aware, as a result of the citizens committee that has been meeting over the last year on that issue, Halton regional council passed a resolution on September 30 that requests a region-wide assessment based on 1992 values rather than 1988 values and requests implementation of that no later than 1996.

In addition, the region has achieved something very rare: a consensus among its four municipalities on a reapportionment of its shared costs, to take effect next year. This will require many approvals by the provincial government and the cooperation from both levels of government. Are you willing to meet with the chair of the Halton regional council, the four area mayors and councillors to discuss their concerns regarding this very important issue?

**Hon Ed Philip (Minister of Municipal Affairs):** I can tell you that I'd be pleased to meet with the chair of Halton regional council. I've had a number of phone calls with him over the last several months and have met with him.

It's important to note that this was a very difficult issue the council faced. They all should be commended for attempting to reach resolution by consensus. Certainly their requests will be very carefully considered by my colleagues and myself.

**Mr Duignan:** As the minister is aware, consensus has been reached by the municipalities. He is also aware that as part of the process, a citizens committee on property tax reform was struck by the region with a mandate to examine alternative proposals on this issue. The citizens committee report outlines a number of recommendations. This report has been forwarded to you, Minister, as well as the ministries of Finance and Education and Training, and also to the Fair Tax Commission and the Association of Municipalities of Ontario.

As the citizens have reached consensus, as the municipalities have reached consensus, will you respond to the report, and what can the citizens of Halton region expect with regard to the long-term reform, considering that consensus is reached among the citizens of Halton as well as the municipalities of Halton?

**Hon Mr Philip:** I'm tempted to sing the song of the Toronto Islanders saying, "I passed the bill," and say, "I almost passed the bill." But I did meet with the citizens committee a couple of weeks ago; to be precise, I think it was around the middle of September, September 15 or 16. Certainly they've put a great deal of effort into their report; there are a lot of very thoughtful ideas in that. I enjoyed my meeting with them. I assured them that my colleagues and I would carefully consider the report. I hope to continue this dialogue with that

committee and with the elected representatives in that area and representatives of my ministry, and we'll continue that process.

#### ONTARIO HUMAN RIGHTS COMMISSION

**Mr Tim Murphy (St George-St David):** I have a question for the Minister of Citizenship and Culture with responsibility for the Human Rights Commission. I'd like to ask her a question about a policy pronouncement made by her parliamentary assistant in committee and ask her whether she agrees with it. I'm going to read a quotation from the Hansard of our standing committee on administration of justice on September 1 and I'd like to know whether she agrees with this: "Mr Fletcher: I know. I think the Human Rights Commission's a joke myself." Does she agree with that?

**Hon Elaine Ziemba (Minister of Citizenship and Minister Responsible for Human Rights, Disability Issues, Seniors' Issues and Race Relations):** First of all, it is Minister of Citizenship; Culture is not included in the ministry, just to clarify a point. There is a Minister of Culture who sits behind me.

**Mr James J. Bradley (St Catharines):** Would you agree with your parliamentary assistant who said it was a joke?

**Hon Ms Ziemba:** No. I think I would want to say to you very clearly that the Ontario Human Rights Commission has a very important role to play in this province, has always had a very important role to play in this province and will continue to have. We think it's a very important place for people to take their—

**Mrs Margaret Marland (Mississauga South):** We knew that when we established it. That's why we established it.

**Hon Ms Ziemba:** The opposition is saying that's why they established it, and that's very true. I'm very pleased that the Conservatives had the foresight to set the tone for all of Canada, because it was the very first Human Rights Commission in Canada and from there we went across other provinces and into the federal jurisdiction. It will continue to have an important role to play in this province. I'm very pleased that some of the reforms that have taken place in the Human Rights Commission have been very beneficial to everyone.

**Mr Alvin Curling (Scarborough North):** What I'm hearing from the minister is that you don't agree with your parliamentary assistant. Considering that the parliamentary assistant does not reflect your commitment and your confidence in the Human Rights Commission, and considering also that what he stated is not a part of your party's position or the government's position, do you intend to keep him on as a parliamentary assistant? Also, in terms of employment equity and the legislative hearing, we know he plays a very important role in this employment equity bill, and we want somebody who is very forceful and committed to the cause. Are you prepared to keep him on as your parlia-

mentary assistant with those kinds of remarks?

**Hon Ms Ziemba:** I believe that our system of appointing parliamentary assistants, as well as appointing ministers, is similar to the previous government's, the Liberals', and to the Conservatives' as well, and that is that the Premier makes those decisions and decides on who will be a minister and who will be a parliamentary assistant. I trust the Premier will continue to make those decisions. I'm very pleased that he has the ability to make the best decisions he can.

#### LANDFILL

**Mr David Tilson (Dufferin-Peel):** I have a question for the Minister of Environment and Energy. The Interim Waste Authority, as you know, recently released its paper called Impact Management and Compensation Policy with respect to the areas of the three superdumps. I wonder if you could tell this House why you're letting the Interim Waste Authority make announcements about expropriation plans when you have not announced who's going to operate and own the three superdumps within the greater Toronto area or in fact worked out a reimbursement schedule for municipalities in exchange for the lost revenues in tax assessments after you have taken over the land surrounding the superdumps.

**Hon Bud Wildman (Minister of Environment and Energy):** The two matters are not related.

**Mr Tilson:** I don't understand his answer when he says the two matters are not related. The very fact of the matter is that you're going to be expropriating areas in the three municipalities and the municipalities are going to be losing substantial moneys with respect to tax assessments. The fact of the matter is that you haven't even decided yet who is going to be operating or owning these superdumps. It's a most relevant question. I'm going to ask the question again: How can you allow the Interim Waste Authority to make these announcements when these questions haven't been answered?

**Hon Bud Wildman:** I don't allow the Interim Waste Authority to make announcements; it makes announcements itself.

**Mr Chris Stockwell (Etobicoke West):** You are the sole shareholder, Bud, and the boss.

**Hon Mr Wildman:** As a matter of fact, as the member knows, despite the barracking from the member who's not in his seat, the Interim Waste Authority made a commitment in December 1992 that would follow on its discussion paper Managing the Impact of Landfill: A Commitment to Fair Compensation: that it would provide the commitment, and meet that commitment, to release that information.

I'm sure that anybody who is in an area that might be considered for a landfill site would want to know what the possibilities are with regard to compensation. The IWA is committed to sharing that information, which it

has done. I repeat, the question about whether or not the actual sites have been chosen, whether or not the municipalities will operate the dumps—

**Mr W. Donald Cousens (Markham):** You have lost control.

**The Speaker (Hon David Warner):** Order.

**Hon Mr Wildman:** Mr Speaker, I don't mind; I'm used to presenting an answer with a chorus. It's sort of like a Greek play.

The fact is, whether or not the municipalities operate the dumps is not related to the question of compensation for people who might be affected around the dumps.

**The Speaker:** The time for oral questions has expired.

**Mr Robert V. Callahan (Brampton South):** On a point of privilege, Mr Speaker: It's come to my attention that my privileges in the House have been taken away from me. I'm the Correctional Services critic. I understand that Professor Frances Henry has produced a report on corrections which demonstrates that there's significant racism in our jails. That report has not been released and I, as the corrections critic, am being denied my right to see that report and to comment on it and to carry out my functions as corrections critic in this Legislature.

**The Speaker:** The member will know that he does not have a privilege, and he will be happy to know that he has not lost any of his privileges.

1500

#### PETITIONS

##### LANDFILL

**Mr W. Donald Cousens (Markham):** I have a petition to the Legislative Assembly of Ontario:

"Whereas on October 24, 1991, the NDP government introduced Bill 143, the Waste Management Act, and tried to force the Legislature to pass the bill before Christmas 1991 without public consultation or notification to affected municipalities and residents and without naming the candidate landfill sites; and

"Whereas the NDP were forced into five weeks of public hearings and listened to over 200 presenters, all recommending amendments to Bill 143; and

"Whereas the NDP refused to listen or pass any opposition amendments to Bill 143 which would protect and secure individual and municipal rights to full environmental assessment hearings on waste alternatives such as rail haul; and

"Whereas the NDP used their majority to pass Bill 143 on April 23, 1992, with the full support and endorsement from Jim Wiseman, MPP, Durham West; Larry O'Connor, MPP, Durham-York; Gordon Mills, MPP, Durham East; and

"Whereas the NDP named 57 candidate landfill sites on June 4, 1992; and



"Whereas Ruth Grier and the Premier refused to meet with groups opposing the dumps and refused to consider the alternatives like rail haul, contrary to Mrs Grier's support of rail haul in January 1991; and

"Whereas Mrs Grier refused to meet with the residents and mayor of Kirkland Lake to review the Adams mine proposal and proceeded to ban rail haul without considering the impact on the northern economy; and

"Whereas the NDP government created the Interim Waste Authority to find a solution to GTA waste and operate independently from the Ministry of the Environment, but at the same time the IWA must adhere to Mrs Grier's and Mr Wildman's ideology and her ban of waste alternatives such as rail haul and incineration; and

"Whereas the IWA and the NDP government refused to conduct an environmental assessment on the alternatives and remained firm on subjecting communities in the regions of York, Durham and Peel to a process that ignores their fundamental rights to a review of alternatives and employs a system of criteria-ranking that defies logic and leads to the selection of dump sites on environmentally sensitive areas, prime agricultural land and sites located near urban areas,

"We, the undersigned, want Bill 143 revoked and replaced with a bill that would allow a full environmental assessment on all—

**The Speaker (Hon David Warner):** The member for Markham: I draw to the member's attention that we have a time limit for the presentation of petitions of 15 minutes and that it's most appropriate if the member could simply summarize the petition, perhaps read the relevant parts, but by so doing allow many members the opportunity to present petitions.

**Mr Cousens:** Thank you, Mr Speaker. I've now finished that petition and presented it to the House with my signature affixed to it as another statement by people opposing the horrible process of this government.

#### CASINO GAMBLING

**Mr Alvin Curling (Scarborough North):** "To the Legislative Assembly of Ontario:

"Whereas the New Democratic Party government has traditionally had a commitment to family life and quality of life for the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the New Democratic Party has had a historical concern for the poor in society who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gamb-

ling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly along with a process which includes significant opportunities for a public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

I have affixed my signature to that in agreeing with it.

#### GAMBLING

**Mr Carman McClelland (Brampton North):** This is to the Legislative Assembly of Ontario:

"Whereas the New Democratic Party has not consulted with the citizens of the province regarding the expansion of gambling; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas creditable academic studies have shown that state-operated gambling is nothing more than a regressive tax on the poor; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling and the government has not attempted to address the very serious concerns that have been raised by groups and individuals regarding the potential growth in crime,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos and refrain from introducing video lottery terminals in the province of Ontario."

It's signed by a good number of people from Waterloo and Windsor and I too am affixing my signature to this very well-thought-out petition.

#### PICKERING AIRPORT LAND

**Mr Larry O'Connor (Durham-York):** I've got a petition here to the Legislative Assembly:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government sale plan,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Therefore, that the provincial government of Ontario request of the federal government of Canada to initiate

a public review by panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community of residents therein."

Those residents were here this morning as we debated a private member's resolution on this very issue and I affix my signature in full support.

#### LONG-TERM CARE

**Mrs Barbara Sullivan (Halton Centre):** I have a petition addressed to the Legislative Assembly of Ontario which reads as follows:

"Whereas the government of Ontario has stated that multiservice agencies, the new single local point of access for long-term care and support services, must purchase 90% of their homemaking and professional services from not-for-profit providers, therefore virtually eliminating the use of commercial providers,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We protest the action to drastically reduce the service provision by commercial providers and respectfully request that the impact of this policy decision, including a cost study, be performed before any further implementation."

I concur with this petition and have affixed my signature to it.

#### PICKERING AIRPORT LAND

**Mr Jim Wiseman (Durham West):** "To the Legislative Assembly and the Lieutenant Governor of Ontario:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal government sale plan,

"We, the undersigned, petition the Legislature of Ontario as follows:

"Therefore, that the provincial government of Ontario request of the federal government of Canada to initiate a public review by panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community of residents therein."

We passed a resolution this morning, calling upon the federal government to do just that. I affix my signature and hope the federal government will now listen.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Mr Hansen from the standing committee on the Legislative Assembly presented the following report and moved its adoption.

Your committee begs to report the following bill, as amended:

Bill 57, An Act to amend the Election Act and the Legislative Assembly Act / Projet de loi 57, Loi modifiant la Loi électorale et la Loi sur l'Assemblée législative.

**The Deputy Speaker (Mr Gilles E. Morin):** Shall the report be received and adopted? Agreed.

Shall Bill 57 be ordered for third reading? Agreed.

The bill is therefore ordered for the committee of the whole House.

**Mrs Barbara Sullivan (Halton Centre):** No, third reading.

**The Deputy Speaker:** This is what I have here.

**Mrs Sullivan:** We just agreed to third reading.

**The Deputy Speaker:** My apologies. Sometimes the Speaker is also distracted, like members. So the bill will therefore go to third reading. I apologize for the mistake.

1510

#### INTRODUCTION OF BILLS

**Mr David Turnbull (York Mills):** I move that leave be given to introduce a bill entitled An Act to amend the Municipal Act in respect of Vital Services Bylaws, and that the same be read for the first time.

**The Deputy Speaker (Mr Gilles E. Morin):** The Speaker being very alert, I don't have the right forms.

**Mr Turnbull:** I'm sorry, Mr Speaker. I don't have them.

**The Deputy Speaker:** You could introduce it again on Monday perhaps.

#### ORDERS OF THE DAY

##### MUNICIPAL STATUTE LAW

##### AMENDMENT ACT, 1993

##### LOI DE 1993 MODIFIANT DES LOIS RELATIVES AUX MUNICIPALITÉS

Resuming the adjourned debate on the motion for third reading of Bill 7, An Act to amend certain Acts related to Municipalities concerning Waste Management / Projet de loi 7, Loi modifiant certaines lois relatives aux municipalités en ce qui concerne la gestion des déchets.

**The Deputy Speaker (Mr Gilles E. Morin):** Are there any members who wish to participate in this debate? The member for Scarborough North.

**Mr Alvin Curling (Scarborough North):** Thank you very much, Mr Speaker. I want to thank you for getting this opportunity to express some concerns that we have in Scarborough North. We know that Bill 7, which has been requested and asked for by the municipalities, is responding to the various municipalities which would like to see that they have, if you want to call it, more powers and more authority to handle their waste management facilities.

It's funny that sometimes we feel in some jurisdictions that we need more powers, but with powers come



responsibility. I am confident that the municipalities are equipped to take on those responsibilities, but responsibilities also, as you know, come with the financial backing and the transfer of funds. You hear in this House over and over the blame that one government does not pass on money to the other government. We hear that the provincial government blames the federal government for not transferring funds.

Here I gathered that while the bill and the legislation is welcome, the concern of course of the municipality is that we hope the money comes along with it. One of my colleagues has spoken in the House and said that if you're giving responsibility to the municipality, please transfer the necessary funds that go along with it.

But I want to take this opportunity, as I said, to bring up a specific concern too within my riding of Scarborough North. As you know, we have been handling some matter of some wastes, if you want to call it, some radioactive soil, and where we move one waste to another area. As you know the history, Mr Speaker, and it's very important that I bring you up to scratch on all this, because about 12 years ago, as you of course have known, that radioactive soil—

**Mrs Margaret Marland (Mississauga South):** On a point of order, Mr Speaker: The member for Scarborough North has a very important speech to deliver, and I think that we should have more than 11 members present.

**The Deputy Speaker:** You are asking if there is a quorum. Would you please check if there is a quorum?

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Deputy Speaker:** The member for Scarborough North.

**Mr Curling:** Thank you, Mr Speaker. I am appalled to know that with such an important matter as this the government cannot find it possible to be present within the House to listen. I really urge you to listen to this speech. Go and get your colleagues who may be somewhere else, not finding that this is important. You have a responsibility to keep a quorum in the House.

However, as I was saying, in bringing you back to the historical sequence of this waste that we have had, and really don't know where to put it, 12 years ago radioactive soil was found in an area called McClure Crescent. Of course, the Conservative government wrestled with what to do with it at that time. They were out of power when they should have done something. The Liberal government came in at the time and decided, of course, to make the commitment to move that waste away from that area but in the meantime to find an appropriate place, and bought out about 48

homes from that area. We moved the people in time to get a place to put that radioactive waste.

Why this is important and what makes it relevant is that you just consider the fact that at this time it is a provincial responsibility to do all this moving. This bill itself, as you know, if it is passed, would make it the municipality's responsibility to find those places to put that waste.

But what happened here was that, with a lot of fanfare, the minister of the day, the present minister, Mr Charlton, announced in the House the fact that he would be removing this radioactive waste soil to another area, and he would be moving it by this fall. What had happened here was that they went ahead and purchased land in the same area of my riding, an industrial area, to put this radioactive soil on.

We talk about consultation; we've talked about consultation here many times in the House. The people felt they would be involved in this, making sure that wherever that waste went, they'd be informed. I think those people who were involved, the federal bureaucrats who were involved, said they had sent out a lot of public forum notices so that they could discuss this issue.

People in that area, the Tapscott-Steeles area—that's the area where they're going to move the McClure radioactive soil to—were very concerned. Mr Franklin was extremely concerned because he conducts a food business there. But what happened was that they felt they were not consulted properly, and they made their plea to the provincial government that they should be involved in the consultation, a consultation, I would say, that must take place now even though it is stated that they did get the proper notice to be involved in that consultation process.

The strange thing about this is, they also found some other radioactive soil, contaminated soil, in another area called McLevin. The fact is there is no one living at the McLevin site now. They felt that if there is a site in which they've identified some radioactive waste, they could have moved that radioactive waste which they found where there were residents—in McClure Crescent—to McLevin. However, it was moved to the Tapscott-Steeles area, and they're protesting the fact that it's good agricultural land and the government of today, itself, went ahead and purchased this land in order to move the soil to that area.

1520

I have spoken to the government people as to why it is they did that, and they told me it was much easier in a way to sort the type of soil, because eventually it will be moved. The most contaminated part will be moved to Chalk River. The reason why that area was selected, the McLevin area, is because of the ease of the area to make that sorting being done.

My concern here, though, is the environmental

assessment. I gather from a hearing that the provincial government is exempted from an environmental assessment—in other words, to assess what impact it will make on the community healthwise or otherwise. They were exempt. I further understand, because the federal government is involved in this, that they may come through this environmental assessment process through the federal government.

The people are concerned, though, with this hurried nature of this government, to have purchased land to put the radioactive soil in without having any environmental assessment done on it, as a matter of fact twisting their arms to accept what is already a given thing, that they will move it to the Tapscott area.

As I see the responsibility in this municipal waste management act, Bill 7, that if it is given to the municipality, I hope that they also will have to go through all the environmental assessment processing in order to make sure that the community is satisfied that these movements do not impact upon them negatively.

I was asked, of course, by my community to write to the minister of the day to meet with them for them to express their concern. It's over a month and a half now that the letter went to the minister and no response. The people of my community feel extremely left out and ignored at the fact that the minister cannot even respond to a letter asking to address some of their concerns.

The people in the McClure Crescent area have lived with this nightmare for the last 12 years. When the Liberal Party was in power, we did an initial move of moving the people. It was some relief. But the fact is that the commitment to move the soil has not yet been done and this government, which is moving on it now or attempting to move on it, I think is making matters worse. I think the fact that while I was very happy to know that something was done and it was announced in the House that something is being done, now what has happened, we have another part of the community extremely upset.

My feeling here, Mr Minister, is to meet with these people to reassure them that all the necessary precautions will be taken to satisfy them that this will not have an impact on their business. As we talk about it each day, it is important that we keep businesses going and here are individuals—

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** They are meeting tonight.

**Mr Curling:** —here are individuals who are concerned. I hear the minister is saying, since I have spoken, that he has acted immediately and having a meeting tonight, because they had called me and said they had not heard a thing about that. We hope that when the minister meets with them to say the manner in which we handle waste is a matter of concern to business and also to the individuals.

Of course, we had a public forum, I called a public forum, to hear the concerns of these individuals. I am telling you, Mr Minister, they were pretty angry about this. They felt that they had waited so long, those in the McClure area, for some move to happen and when it happened there was some resistance on the other side.

The people who have businesses are saying, "Why are you moving it to our area to have such a negative impact on us?" As a matter of fact, there is a perception situation that is causing quite a few of the concerns of not only Mr Franklin himself, but Mr Franklin who has a food distribution business there. He felt that this in itself would cause a tremendous negative impact on his business.

I too, though, as I stand in the House today, want to commend the federal government bureaucrats who have been working very closely for years giving out any information necessary so that the individuals feel more comfortable about it. But one cannot really feel comfortable about it. I am still not happy that the process has gone this way. I still feel that we could have made one move, and the costs alone, I'm sure, that the minister announced here—I think he spoke about 200 person-years of employment will be generated through this kind of a move.

Again, I don't think it's actually a matter of who will get jobs out of this thing but a matter of the social and the health concerns that are more important anyhow. I thought it rather crass that they said that, but I know the concern of people to have a job is important.

I hope, as you said, that you will meet with those members tonight. I had hoped that you would have invited me as a member there. Now I am hearing that it's a public meeting. I had hoped that the minister would have met with those people personally, more than in a public arena, to speak to these individuals after having written them a letter on this. I know that he did not call the public meeting then. Probably this meeting was called by the federal bureaucrats there. I still hope that you do meet with those members who are concerned within the area and don't use the public forum and say, "I have met with them."

One of the most difficult things for us to do since this government has taken place is to meet with ministers, to get responsive letters from ministers, and this has caused a lot of uncertainty and a lack of confidence in the government. I know they are all honourable men and women over there who want to do a good job, but each time I feel that somehow I'm not getting the kind of support that should be given, and the people are feeling the same way.

I just wanted to raise that point and say that as we handle waste in the municipality and have given the responsibility to the municipality to handle waste, the issue itself needs strong support from the other levels of government.



It's nice to pass things over. I remember when Sunday shopping was about. As you remember, when the Liberal Party, the Liberal government of the day said, "We think the municipality should be handling that because they know the community more," the NDP, the opposition of that day, was screaming at us that we are reneging on our responsibilities and passing those responsibilities to the municipality. But we of course would have passed on any necessary support in the sense of financial support or whatever support would be there for the municipality.

In this one here, I am getting a feeling, and the municipalities have complained to me, that although we want that responsibility and think it's important that we can handle it properly—we are quite competent at doing that—we may not get that kind of support from the provincial government.

I am saying to you it's no use that the government pass on this responsibility to the municipality without the necessary support. I would warn you that to come back and say that it's the federal government's fault why you're not getting things to pass on to the municipality will not wash this time.

I think that's why people are so cynical about politicians. I'm the last one to ever knock politicians. I think they are great and wonderful, committed people to the cause who are trying to answer some rather difficult questions.

I want to thank you, Mr Speaker, and thank the minister for being here too, that I could say that directly to him. It's not often that we do see the minister in order to talk directly that way. I would almost reach the point of saying the concern is grave and it should be acted upon in a rather sensitive manner to make sure that as we go along this very important matter within Scarborough North, the people feel they've been listened to. Sometimes, somehow, while I listen to them, I really feel inadequate. I feel inadequate to know that I can take the message to the minister and nothing is acted upon.

1530

He said this will be acted upon in the most sensitive manner, efficiently, sensitive to the people in the Tapscott-Steeles area, and also to those people who for over 12 years have waited for action to happen.

While there was some action that happened by the Liberal Party and some action and an attempt by the NDP government, somehow, when this radioactive soil is moved to Chalk River, if that's the destination—that it's moved immediately; don't take 10 years. I gather the minister at one stage stated to me that it will take about 10 years. If you're going to deal with wastes and we're going to deal with waste distribution or reduction or what have you, then let us make sure it is done with the cooperation of all levels of government and all colleagues in the House.

**The Deputy Speaker:** Are there any questions or comments?

**Hon Mr Charlton:** The member seemed to imply that I'd be responding to the bill, but it's not my bill, so I thought I'd get up and make a few quick comments about the circumstance he raised in his comments about the bill.

On the situation of the radioactively contaminated soil from McClure Crescent which is proposed to be moved, I want the member to just understand several things quickly.

We are being as sensitive with those who are concerned about this move as we can be. Having said that, the member needs to understand that, first of all, those people were notified on a regular basis throughout the process and for whatever reason chose to ignore the process, didn't show up until it became publicly clear that the move was actually going to occur. People have to start taking some responsibility for the decisions they make, and when a process is offered, they have to participate in that process. It is not always adequate for them to come back after the fact and say, "We didn't know," because they were personally mailed and notified.

Secondly, though, to try and be sensitive about this difficulty that's arisen around this project, we've extended the consultation period by 10 weeks so that these people can be fully brought into the process. We offered the business group that is concerned here an opportunity to join the citizens' advisory committee. Unfortunately, they declined that opportunity. We will continue through a public process to encourage them to come out and learn in real terms about the facts of the case in terms of what it is that really confronts them, both in the context of waste disposal and in the context of impacts around their property values, so that we can attempt to assure them that this proposal is not a proposal they need to fear. But they have to become part of the process if they wish to gain those kinds of assurances.

**The Deputy Speaker:** Any further questions or comments? If not, the member for Scarborough North, you have two minutes.

**Mr Curling:** The minister stands up to correct me. Let me just say to him, reading from Hansard, he said, "Today cabinet has approved the purchase of a site in the Tapscott industrial district," and he said of the area, "I am happy to report that about 200 construction-related jobs will be created over the life of the project when excavation of the McClure soil begins this fall."

He talks about permanently, that he has made that decision. You bought the land, you're going to move the thing, and it says "propose." That is not a "propose." To go out and buy a piece of land, to move land, that's not proposed. Those are commitments that you are making. Don't say that you proposed to do that.

What if it's turned down? You have wasted taxpayers' money, because you proposed to move the land in the Tapscott-Sewells area? That's one area.

The other area he talks about, that this area of consultation is there, the people have appealed to you to say that in the consultation process they did not get proper hearings on this matter. I'm not going to debate you on that, because I also knew of some public forums that were there. I will not take you on in the sense that you're right: There were public forums and the people weren't there.

The matter is that as we bring the pressure of the debate down a bit, I know, I'm confident, that the matter will be resolved. I think you have got the issue, that it is a very sensitive area and it's hard to resolve very easily.

I know your concern too, Mr Minister, is only with regard to the purchasing of it, and the other minister is also involved, but if you can catch one minister here, what I try to do, in a sense, is to make sure that you get all the message and pass it on to the other ministers. But I feel that waste management has to be handled in many ways very sensitive to the concerns of the people and the community.

**The Deputy Speaker:** Any further debate? If not, the parliamentary assistant.

**Mr Pat Hayes (Essex-Kent):** Thank you, Mr Speaker, and I'd also like to thank all the members who have participated in this debate. I'd also like to thank the staff from the Ministry of Environment and Energy and also from the Ministry of Municipal Affairs for their hard work in bringing this bill to where it is today.

I'm very pleased with members who've participated here in the last two days on this particular bill and a little surprised that they—of course, I guess, that's one way of getting a message out to your constituents, when you get up in the House and debate a particular bill, even though all three parties agreed with this bill unanimously in committee and, I understand, here in the House. I'm pleased we've come this far.

I'd like to address just a couple of issues. I know there's other business the House has to do, but on the issue of funding I want to let the House know and let the public know that this government is going to continue the 3Rs program. It has been retained and there have not been any cuts in that program. We'll continue to make progress in the 3Rs. We have to do that; otherwise, landfill sites will be filling up faster than they are now.

**Mr Steven W. Mahoney (Mississauga West):** On a point of order, Mr Speaker: I thought that the member would appreciate if some of his colleagues would come in. I don't think we have a quorum here.

*Interjection.*

**Mr Mahoney:** You are the government.

**The Deputy Speaker:** Would you please check if there's a quorum.

**Clerk Assistant and Clerk of Committees:** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**The Deputy Speaker:** A quorum is now present. The member for Essex-Kent.

**Mr Hayes:** As I was saying, if we don't continue with the 3Rs, landfills are going to fill up faster than they are now, and as everyone in this House knows, trying to find new landfill sites in this province can be very expensive, unpopular and of course a waste of land, a waste of farm land.

That's one of the issues that was raised several times in this Legislature by members of the opposition, and especially when they are critical of the blue box system. On the one hand, they're saying, "Get rid of the blue box system," and also, "Reduce the garbage going into the landfill site." It really doesn't make any sense to me.

I know there were concerns about the blue box system, saying that there have to be other alternatives. The only other alternative I've really seen, which some of the opposition have made, is searching for landfill sites—we cannot continue on that—

**Mr Chris Stockwell (Etobicoke West):** No, no.

**Mr Hayes:** —with the exception of the member for Etobicoke West, who indicated that we should be looking at other alternatives, but he also mentioned that there are no markets; I believe he said, "The market isn't there." Let me just tell the member for Etobicoke West that there are markets for blue box materials.

**Mr Stockwell:** Tell Metro.

1540

**Mr Hayes:** And they aren't recycled materials just being stockpiled or sent to landfills, as was suggested in this House.

**Mr Stockwell:** They are.

**Mr Hayes:** All blue box materials are being successfully marketed, some 450,000 tonnes per year. The only exception is for grossly contaminated materials.

**Mr Stockwell:** Bunk. Who told you that?

**The Deputy Speaker:** Order. The member for Etobicoke West, order, please.

**Mr Hayes:** All recycled newspaper is being sold to recycling mills and in fact Ontario is a net importer of old newsprint. Recycled glass is being recycled into new glass or used as a construction material in the regional roads. The market is there. I guess it's like any kind of business. We have to continue to look for those markets and expand on those markets to make these programs successful.

I am rather surprised at the criticism that we are getting on this particular bill, because it's a bill where



the municipalities have come to the government and said, "We want the authority to deal with the 3Rs." I want to tell you the criticism we're getting there is not from the municipal leaders. There are some people who think maybe those municipal leaders don't really know what they're talking about when they're coming to the provincial government for assistance. But let me tell you that those municipal politicians are duly elected and that they are the voice of the people they represent in their municipalities. One of the things the people in this province don't want to happen is for us to continually dig holes in the ground to dump the garbage in.

**Mrs Barbara Sullivan (Halton Centre):** That's right. They want to burn it.

**Mr Hayes:** No, they don't want to burn it either. It's just the Liberals and the Conservatives who want to start a whole bunch of fires and burn the garbage.

The province right now is presently working with the private sector on the private sector's contribution to the cost of recycling and managing these projects. Some of the members across the way talked about, "Who is going to pay?" Let me tell you that the existing system with the blue box is that 45% of the cost is borne by the individual municipalities, 35% by the province and 5% by OMMRI. Of course, 15% of that is financed from material revenues.

We have industry involvement here and we're talking about who is going to pay for this. We are suggesting, and I believe we are getting cooperation from industries, from OMMRI, that they pay a larger share. In other words, those who create the packaging, those who create the waste will have to pay for it and share in the costs if this is going to be a successful program.

The Ministry of Environment and Energy is working with municipalities on reducing the cost of recycling. For instance, currently, the Ministry of Environment and Energy has a project to help North York reduce its costs.

One of the other concerns was the user fees. People say, "This is just another form of revenue." It is a form of revenue but not only a form of revenue: to help with the 3R programs, to help municipalities to pay the costs.

**Interjection:** Stop any time you want to.

**Mr Hayes:** I can stop any time I want? Thank you.

I want all members to know that it is a permissive piece of legislation, when we talk about the user fees, and many municipalities, many environmental groups and individuals have supported it.

Mr Speaker, I know there is a lot of other business here. I think we can wrap this thing up very quickly.

**Mr Stockwell:** You couldn't have told us everything you know in 10 minutes. Come on.

**Mr Hayes:** I'm going to tell you everything the member for Etobicoke West knows in five minutes. If I ever needed a heart transplant, I'd take it from those

people, because theirs have never been used.

I want to thank everyone who has participated in this. I hope we can move this very quickly and the municipalities can really get on with working with private industry, this provincial government and the citizens of this province to clean up the environment. Let's move on with the 3Rs program.

**The Deputy Speaker:** Mr Hayes has moved third reading of Bill 7, An Act to amend certain Acts related to Municipalities concerning Waste Management. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

**Mr Stockwell:** On a point of order, Mr Speaker: I would just like to know if it would be allowed that I could be shown as opposed to that.

**The Deputy Speaker:** There is no mechanism that exists to that effect.

#### CAPITAL INVESTMENT PLAN ACT, 1993

#### LOI DE 1993 SUR LE PLAN D'INVESTISSEMENT

Mr Sutherland moved third reading of Bill 17, An Act to provide for the Capital Investment Plan of the Government of Ontario and for certain other matters related to financial administration / *Projet de loi 17, Loi prévoyant le plan d'investissement du gouvernement de l'Ontario et concernant d'autres questions relatives à l'administration financière.*

**Mr Kimble Sutherland (Oxford):** I'll just try to catch my breath, coming up here from committee.

I'm pleased to move forward the Capital Investment Plan Act, 1993, for third reading and royal assent.

As announced in February 1993 by the Premier, this bill is part of an infrastructure development strategy and is a key component of our government's overall plan for economic renewal. This bill represents a commitment to invest in jobs and public infrastructure vital to keeping Ontario competitive. Once established, the four new crown corporations will serve as new delivery vehicles for capital investment and will seek new sources of funding and innovative partnerships with the private and public sectors.

1550

This bill, which I present here today for third reading, received the approval of the standing committee on general government on August 18, 1993. Several amendments have been adopted in the bill, and I am happy to say the committee witnesses were supportive of the direction and content of the bill. I just want to add that I think we had a very good committee process. Amendments were put forward, both by the government, which were supported by the opposition, and by the opposition as well.

The Capital Investment Plan Act allows the province to invest more in important infrastructure projects than would otherwise be possible. It enables the government to do more for economic renewal and job creation across Ontario during a time of serious fiscal constraints. By using new and creative ways to invest in jobs and infrastructure now, we're laying the foundation for a strong and competitive future for all Ontarians.

The Capital Investment Plan Act is a very new approach for this province, but it's not new for other provinces who have used this approach to finance much of their capital infrastructure plans.

**Mr David Turnbull (York Mills):** On a point of order, Mr Speaker: On a matter such as this, which is seeking to hide hundreds of millions of dollars of debt from the public's view, I believe there should certainly be a quorum present to debate this issue.

**The Deputy Speaker (Mr Gilles E. Morin):** Would you please check whether there is a quorum?

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**The Deputy Speaker:** A quorum is now present. The member for Oxford.

**Mr Sutherland:** Mr Speaker, I think I've just about concluded my opening remarks on third reading. As I was about to say, I look forward to the new comments that may be provided by those who are going to comment. We had an extensive second reading debate, a very thorough discussion in committee regarding some of the issues around this piece of legislation.

Despite the best wishes of the member for York Mills, there is nothing that is being hidden in this legislation. Everything's been announced; everything is out in the open. All the people who need to see what is going on will be able to see the final, successful results of this legislation going through, which in the long run is a stronger infrastructure which will mean a stronger economy.

**The Deputy Speaker:** Questions or comments? Are there any members who wish to participate in this debate? The member for York Mills.

**Mr Turnbull:** Urged on by my colleague the member for Etobicoke West to just say a few words about these opening remarks—I will be debating the issue; however—

*Interjection.*

**The Deputy Speaker:** Order. Just a minute, please. I did ask if there were questions or comments. There being none, I then asked, are there any members who wish to participate in this debate?

**Mr Gerry Phillips (Scarborough-Agincourt):** I didn't hear you.

**The Deputy Speaker:** Is there unanimous consent

that the member for Scarborough-Agincourt precede the member for York Mills? Is there unanimous consent? Agreed.

You were under the impression, I am told, that you wanted questions and comments, is that correct? Okay. Nobody stood up, and the Speaker has to react accordingly. The member for York Mills, you have two minutes.

**Mr Turnbull:** The comment by the parliamentary assistant that nothing is being hidden from the electorate, I suggest, is somewhat of a fantasy, and I will more fully explore that when I'm debating this issue, I believe on Monday. However, there can be no doubt that the government will not be successful in hiding this debt from the bond rating agencies, which are already looking very askance at this government.

There is no reason to create these corporations. The functions the government is proposing to finance could be achieved without creating these corporations. If indeed there were a move to reduce the number of civil servants to be able to get rid of debt, I think we would be applauding it, but in point of fact they're creating a new type of crown agency: They've created a schedule 4 crown corporation, where all of the people who are moved from the civil service will have all of the rights and protections they were afforded under the civil service act.

But I have no doubt that come the next election, this government, which will not suggest this today, will try to suggest that those people are no longer civil servants: "Look how fiscally responsible we've been, and we've reduced the size of the civil service." This doesn't hide it from the bond rating agencies, but this is an effort to try and hide debt and civil servants from the view of the taxpaying public, the people who are concerned about the activities of this government. There's no doubt that the banks are most alarmed by the turns of this government, and these mechanisms will not be sufficient to save them from the inevitable sanctions of the bond agencies.

**The Deputy Speaker:** Questions or comments?

**Mr Chris Stockwell (Etobicoke West):** There are a couple of very critical questions that need to be answered, and to date I haven't heard an answer. I put it directly to the member for Oxford: You suggest in your speech that this will allow you to spend money on these programs that you otherwise couldn't spend. Can you tell me how come you couldn't spend it if you didn't create these crown corporations? I don't understand why as a government you can't just go ahead and do these things internally rather than create these crown corporations.

The second point was that it allows you to accomplish things that you suggest you can't accomplish today. Can you explain that to me as well? I don't understand how come you can't accomplish any of these



goals within the context of the broader revenue projections that you have today. It makes absolutely no sense to me why you need to create crown corporations to develop sewers and clean up our waterways and create financial institutions etc etc. Why is it you have to create crown corporations to do this?

Why I ask those questions is because I call this the jiggery-pokery act. I call it that because—

**Mr Steven W. Mahoney (Mississauga West):** You gave Gerry that line.

**Mr Stockwell:** Sorry. I've used it before, though.

Why I say that is much what the member for York Mills has said. It doesn't allow you to do anything different from what you could do today, other than moving a significant number of employees off the payroll here, and a significant amount of debt off the debt load there, to crown corporations scattered about the province, thereby claiming that your consolidated debt and consolidated payroll is less. But it doesn't work that way. The bond agencies won't believe it. The auditor won't believe it, and he said so in his report. This is nothing but fudging the books.

So the question stands: What is it you can accomplish by creating these four crown corporations that you can't accomplish by simply going ahead and doing these kinds of things within the internal framework of this beautiful place we work in?

**The Deputy Speaker:** Any further questions or comments?

**Mr W. Donald Cousens (Markham):** On the same general theme that the member for Etobicoke West was commenting on, during the committee hearings for Bill 17 we received a presentation from the Provincial Auditor. I have it in front of me. He presented a series of proposals.

Proposal A was for a management responsibility provision. He delineates there how the books would be kept, the kind of recordkeeping that would be there, with the purpose of making "management responsible, in generic terms, for the maintenance of books, records, systems and practices," and then making "appropriate internal auditing a management responsibility," then also to provide "legislators with ability to assess performance of management which a memorandum of understanding would not provide." So the first thing he was really after was a whole new sense of how corporations such as these, when they're set up, would have a structure of reporting back to the Legislature.

Another proposal he made was that there be an annual reporting provision, so he was asking for "the financial statements for the corporation and any subsidiary corporations, prepared in accordance with generally accepted accounting principles." In other words, they're not always right now, but this would begin to force them to do so.

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He asks for a number of reporting provisions which he felt would adhere to the general accounting principles in the legislation. It's the kind of thing that would provide for more accountability within these crown corporations. Finally, he was asking for something that helps with the "planning and budgetary provisions."

During the committee hearings, it was generally felt that the government is moving to these kinds of things, that there is discussion under way about it. But the government was not prepared to accept any amendments which were put forward by myself and also by my colleague from the Liberals to make significant changes to the bills that would incorporate the protection that the Provincial Auditor was asking for. Could you explain why again?

**The Deputy Speaker:** Thank you. Any further questions or comments? If not, the member for Oxford, you have two minutes to reply.

**Mr Sutherland:** Again, despite the best wishes of the member for York Mills, I'm sure he's going to be sadly disappointed to know that the Ministry of Finance has already had discussions with the bond-rating agencies and the various people who lend us money to fully explain what we're doing. So they're fully aware of what the situation is and know that we're not trying to hide anything.

The member for Etobicoke West wanted to know what is the need for these corporations. Maybe he should ask his colleague the member for Markham, because I know in the York region they're very interested in getting Highway 407 done in a much quicker way. The reason that it can't be done right now is that capital allocation for highway construction is done on a yearly basis. There's no long-term way of planning.

Through the establishment of these corporations, you can do a longer-term financing because you have an ongoing revenue source coming back in. In this case, it's tolls on the roads for the construction.

The member for Markham has raised the same issues again that he raised in second reading, that he raised in committee. He wants to raise them again here. The auditor has requested that accountability frameworks be set up. We have said that they will be put in the memorandum of understanding. They put forward amendments to put them in the legislation.

The reason we said we didn't want them in the legislation at this stage is because the auditor is working with deputy ministers, including the deputy minister for management, to work out a legislative accountability framework, as required by the standing committee on public accounts, before changes are made to the Audit Act.

If we put these provisions in that were requested here, they may not be the final result, so what you'd have to

do is go back into the legislation and change that again. That doesn't make a lot of logical sense. We're going to put them in the memorandum of understanding. Whatever accountability framework comes out, it'll still apply to these corporations.

**The Acting Speaker (Ms Margaret H. Harrington):** Thank you to the member for Oxford. Are there any other speakers who wish to participate in this debate? I recognize the member for Scarborough-Agincourt.

**Mr Phillips:** I'm pleased to begin the debate in third reading on Bill 17. Just for everybody who may be watching, this is the final stage of this particular bill.

I think it's fair to say this is a very significant piece of legislation for the province of Ontario. We are talking about the establishment here of, to use the jargon we use around here, four new crown corporations, crown agencies. We call them schedule 4 agencies.

These four agencies will have staff of over 3,000 people, and by the way, these are 3,000 people who used to be on the public service docket, if you will. They're going to be moved off that, over into these four crown corporations or schedule 4 agencies.

We're going to see them spending, without doubt, at least \$2 billion a year. All the management of the province's finances, all the management of what is now roughly \$70 billion of debt, plus the management of the borrowing for municipalities and school boards, will come under this agency. So we're talking about an agency that will be managing a total amount of borrowing well in excess of \$100 billion.

Just for the viewers' information, Ontario last year had the two largest borrowing issues in the world outside of what's called sovereign governments. Outside of national governments, Ontario had the two largest borrowing issues in the world last year, and we're going to set up under this bill a crown corporation outside the government's scrutiny to manage that.

We're going to set up a crown agency, what will be called the Ontario Realty Corp, to manage all of the government buildings. I'll talk about that later on, but what's going to happen is that the government is going to sell off to this realty corporation all of its buildings and its land and then lease the buildings back. Then we're going to set up an Ontario Transportation Capital Corp to build things like Highway 407, and the Ontario sewer and water corporation.

There is merit in some of the ideas in the bill, and one of the key considerations right now out there, to use the jargon again, is the public-private partnerships. The Pearson airport is an example, maybe not a good one. There's a whole—almost an industry. In fact there's a major conference coming up, I think next month, on public-private partnerships, and there's merit in some of the public-private partnerships.

This bill will, the government believes, assist in establishing and facilitating more of those public-private partnerships. I'm sure watching right now are two huge consortiums that are putting together the bid to build Highway 407, which will be worth billions of dollars to the consortium that wins that bid. There are an awful lot of people out there who are watching this debate on the establishment of the sewer and water corporation, because it too will spend billions of dollars on building sewers and water treatment plants.

That's the element of the bill that has merit; it is government looking at creative new ways of refurbishing our infrastructure, and I think all of us who look ahead at, "How are we going to keep our infrastructure refurbished and built?" understand the need for new solutions. That's the part of the bill that I think merits support and merits encouragement.

On the other hand, there's an awful lot in this bill that requires intense scrutiny. In fact today in the Legislature there was a highlight of the Provincial Auditor's concerns about the way the books of this province are kept. He has signalled that it is his intention to—firstly, for the first time ever, the books last year had a qualified opinion. For the first time ever, the Provincial Auditor said, "I have some concerns about whether these books, for the public, represent the real state of the finances of the province."

He didn't say anything was done illegally; he just has concerns about whether they represent the true state of the books. Then he says, for this year, which we call the 1993-94 fiscal year, he is urging the government to change the way it reports the books.

I would say that one of the primary driving forces behind that recommendation is this bill. There is no doubt that this bill has two intentions. One is one that I can support, and that is, as I said earlier, trying to find creative new ways to build and refurbish our infrastructure. But in my opinion and I think in the opinion of the auditor, there's a second reason for this bill and that is to hide debt, hide the deficit, hide the amount of borrowing that takes place in the province. I think that's why the Provincial Auditor made this strong recommendation in commenting on last year's public accounts.

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I want to run through a few specific examples of what's going to happen as a result of this bill. Firstly, all of the school, hospital, college and university capital is going to be funded in a different way than it currently is. What's happened for the last decades, literally decades, is that every year the province provides to the school boards and the hospitals in this province roughly \$600 million a year in grants to help them refurbish their infrastructure—repair the hospitals, repair the schools and, where schools need new schools, assist in the building of those—\$600 million a year every single year in grants.



What this bill permits is for them to do something different. They are moving from a grant-based financing for those schools to what they call loan-based financing, which is a complete misnomer. What this bill does is to instruct the school boards to go out and borrow the money on behalf of the province and the province will commit to repay that over 20 years. What that simply does is transfer, totally, artificially, \$600 million a year of provincial debt off the province's books on to the school boards' books. There is no question about that. Nobody has been able to refute that and the province has a 100% obligation to repay that.

As my colleagues have said, the bond-rating agencies will see through that. It is just having someone else go and borrow your money and you have the obligation—and the Ministry of Finance has confirmed to me that what it means is that in five years the province will owe \$2.825 billion to the school boards of debt incurred on behalf of the province, but it will be on the school boards' books.

Now, that's crazy. It is so transparent and so wrong and it makes, in my opinion, no sense and we fool no one over time; maybe temporarily because the province—and this year the province has already done that. In the budget, you will find that the capital expenditures the province reports had been decreased by \$600 million because they've transferred that on to the school boards. But 100% of the obligation for paying that is the province's.

I know this may sound rather dry, like my voice, but it means, without doubt, that we are running up debt. As sure as goodness, we're running up provincial debt on someone else's books, but the province has a 100% obligation for paying that. I just think that makes no sense, and no one on the government side has been able to give me any legitimate argument of why that is happening. That, in my opinion, is one reason why the Provincial Auditor has raised the issue.

The second thing that happens as a result of this bill is the establishment of something called the Ontario Realty Corp. Now, again there can be a mild amount of merit in the Ontario Realty Corp, properly handled, but I will tell you what's happening there. According to the documents the government has provided me—there's the setting up of the Ontario Realty Corp. Its prime motivation right now is to feed money into the province. The province makes it go out and borrow money, the province then transfers land and buildings to the Ontario Realty Corp, the Ontario Realty Corp gives it the money, and the province reports that as revenue and takes on some long-term debt.

Specifically, at the end of March the province initiated what I think has to be the largest land sale in the history of the province. If anyone has ever seen one transaction of this size, I'd like to know it. At the end of March 1993, the province sold \$450 million worth of

government land to the Ontario Realty Corp. The Ontario Realty Corp went out and borrowed \$450 million, gave it to the province and the province showed that as revenue.

We had an interesting debate here this morning, for people who aren't familiar with it. Three or four of the government ministers were mad at the federal government for selling off land in Pickering. But it was interesting to me that at the same time as they were angry with the federal government for doing that, at the very same time, the province sold off \$450 million worth of its own land, including, I might add, two golf courses in the middle of the property we were debating this morning. I see here that the Seaton golf course was sold and the Whitevale golf course was sold, along with 195 acres in Pickering.

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):** None was sold.

**Mr Phillips:** Someone on the other side is barracking that none of them was sold. I can only go on the basis of the information that the government provides the opposition. I asked the question, what are the properties that have been purchased by the Ontario Land Corp? They say, "See appendix 1." I have appendix 1 here, the MBS properties acquired by what's called the Ontario Land Corp in 1992-93; it's a government document. I see here Pickering, 195 acres of open space; Seaton golf course, 117 acres; Whitby, 1,355 acres of agriculture. That was last year.

What's going to happen—maybe because they're out of land—I see here is that over the next two fiscal years about another \$500 million of Management Board secretariat accommodations are intended to be acquired by the Ontario Realty Corp. These include a variety of types of properties such as hospitals, correctional facilities, courthouses and detention centres. Then what will happen as the jails are sold and the courthouses are sold is that they're not being sold to the private sector or someone out there who is looking to buy a jail.

**Mr James J. Bradley (St Catharines):** They're not going to lease them back, I hope.

**Mr Phillips:** My colleague has his finger on it. It is a total paper transfer. We are going to sell \$500 million worth of jails to, guess whom? This crown corporation we've set up. We then will show the \$500 million as revenue coming to the province, so we've got this revenue flowing in, and then we will lease them back.

**Mr Bradley:** Is Houdini still alive?

**Mr Phillips:** Is Houdini still alive? But my point is this: We are kidding ourselves. This isn't an asset sale. This isn't selling off spare assets. It's so transparent. The problem is that, firstly, we overstate our revenue by \$500 million. There's no doubt about that. Then we take on a significant new annual cost.

The challenge with this issue, I say to my colleagues, is that it is frankly dry matter but it is extremely important. That's why I commend the auditor. He has his finger on this and is saying, "We've got to understand what we're doing here." I repeat, I can't think of anything as transparent.

I understand, and any prudent government that had spare buildings and assets it didn't need should be disposing of them. But the thought of, "We will sell off our jails and then lease them back," as I say, all we're doing is showing transparently revenue coming in. If you sell \$500 million of jails, you take on a new annual cost of at least \$50 million. I went over the land issue, and frankly, some of this is no doubt excess land. Some of it legitimately could and should be sold. But selling jails and courthouses to ourselves, the Ontario Realty Corp, and leasing them back is transparent.

1620

The same thing is happening with the office buildings. Various government office buildings are being sold off and leased back. Again I say, if we've got spare buildings around, sell them, get rid of them. But just to do a transparent paper transaction like this, in my opinion, is distorting the books.

**Mr Bradley:** Hocus-pocus.

**Mr Phillips:** Hocus-pocus, as my colleague said. So that's why I've now raised the concern we have about the new way to finance school and hospital capital. School boards out there should realize that they're going to have to go out and borrow, on behalf of the province, the money the province used to give in grants. The school boards have been told, "Don't worry about it because we will commit to repaying it." It's on, I think, page 83 of the budget.

**Mr Bradley:** I hope this is in Treasury Watch because I read that every time it—

**Mr Phillips:** Some of it is in documents we've produced before. But on page 83, for those people out there who are interested in what's happening with their money, with their hard-earned tax dollars—this is the point—they tell the school boards to go and borrow the money but they say, "School boards, don't worry, this will not impose any additional costs on the institutions," that is, the school boards, "as the province will provide the institutions with annual instalments required to repay the loan."

What the province desperately hopes is that no one will add up all the debt that it owes on someone else's books. Again, I say, one reason I feel better today than I did a few months ago is that I think the Provincial Auditor, thank heavens, has his finger and his staff's finger on this issue and will make sure the public is fully informed of the problems.

The establishment of another crown corporation: I use the jargon around here that we use, and I apologize for

that, but it is the setting up of another schedule 4 agency. I've talked about the realty corporation. The Ontario Transportation Capital Corp will be set up. This will be another schedule 4 agency.

I think we should recognize there is a certain element of potential merit in this. As I said in my opening remarks, any government that isn't prepared to look at some new creative ideas to funding infrastructure I think makes a mistake. Certainly, we've got these two huge consortiums out there right now that are preparing their bids for this toll road and I think it should be looked at with very much an open mind.

I would say that while we in the Liberal caucus are very supportive of looking at, to use the jargon, reinventing government and new approaches and certainly are prepared to look at the establishment of this crown agency, I think all of us will want to examine carefully the actual proposal for the toll road. I know that, I guess in any research we've seen, the public tend to support toll roads. I think we all intellectually support them, as long as it doesn't happen to be the road I had counted on to go from home to work and back again.

That will be the issue on Highway 407, I think, that for those people who may have located there and who had an expectation that—and many people do. They say: "Listen, I've paid for 401, I've paid for 404 and for 403. Now my 407's coming, and I'm counting on that to get me from home to work and back again."

**Mr Bradley:** Tom Walkom has been critical of that in a column yesterday.

**Mr Phillips:** Well, and for all of us, we are desperate for jobs in this province, I think every single party. No one has a monopoly on concern about jobs, and no one's been harder hit than our construction trades.

**Mr Bradley:** They need an infrastructure renewal program.

**Mr Phillips:** My colleague says an infrastructure renewal program, and that's one of the reasons why we in the Liberal caucus are prepared to have an open mind about the transportation corporation and to look at some new ways of doing things.

As I say, the issue will be when we get down to the specifics of the toll and I appreciate that, as I recall the bill, one of the provisos had to be that there were alternative ways people could get around besides the toll road. The problem I think we'll find on 407—I may be wrong, but I think we'll find—is that that road system, the transportation system in that area, has been laid out on the assumption of 407, and the ability to travel without using 407 in that area I'm afraid might be limited. Consequently, I think we owe it to the people in the area of the 407 to look carefully at, what are their real alternatives if they can't use 407 and what will the toll costs be?



**Mr Bradley:** On a point of order, Madam Chair: I'm sorry to interrupt my colleague but I was wondering, he has been making several comments, some rather detailed information. I wondered if he was quoting from Treasury Watch, which he puts out occasionally for everyone in the province who is interested in this. I'm just wondering whether that's the case. Perhaps he would like to tell the House whether that's what he's quoting from. I was wondering.

**The Acting Speaker:** To the member, that is not a point of order, thank you.

**Mr Phillips:** I appreciate the comment from my colleague, and actually part of this is in a document that I do call Treasury Watch. It's an opportunity for me to give some views on the expenditures and what not. This particular one was dated October 7. I did indicate there that the Provincial Auditor has expressed some very strong concerns about the way these crown agencies will be reported in Bill 17.

One of the previous speakers referenced the fact that the Provincial Auditor came to our committee and had, I thought, some very good recommendations. We in the Liberal caucus moved those as amendments to the bill. I might say the Conservative caucus had the identical amendments—it just happened that we had priority for moving them—and the members from the government caucus on that committee rejected them.

The point I'm making with the Provincial Auditor is that this bill has the potential to distort the way we report our finances. So even with the good parts of the bill, we end up undermining some of the good parts of the bill by playing, as one of my colleagues said, jiggery-pokery with this bill.

Back on the transportation corporation, I'm saying that there is merit—I hope all of us believe this—in looking at some creative new ways for building infrastructure. Toll roads can be one of them. I think conceptually one has to look at toll roads, and then you get down to the specifics. This isn't like the toll roads we see in the US, which are from major destination to major destination. This particular toll road that's being proposed is running through an existing fairly strongly populated residential area and I think will impose a fair economic burden on some of the people who thought they were going to be able to use that.

1630

I also see, as part of the capital corporation, the possibility of other creative solutions for capital. In the jurisdiction I live in and represent, Scarborough, I know the local council is looking for some creative way of extending what we call the LRT, the light rail train, in Scarborough further northeast. It's possible a private-public sector partnership could be formed, and it's possible this bill could help facilitate that. On the transportation side there is some merit, but there's a need for close scrutiny.

I've talked about the realty corporation and the transportation corporation. The third one here is something called the sewer and water corporation. Make no mistake: We in the province are facing significant infrastructure demands on our sewer and water system. I think there are many municipalities in the province that are going to have to find ways to significantly upgrade both their water and sewer systems. The intent of this piece of legislation is to help facilitate those private sector partnerships.

I would say again, though, that we should understand exactly what we're doing here. First, the province each year gives grants to municipalities in the range of about \$150 million to help fund infrastructure replacement on sewer and water. What they're planning to do here with their grants is exactly what they're going to do with the school and hospital and university construction. They are going to say to the municipalities that it will no longer be in the form of a grant: "You go out and borrow the \$150 million, but tell whomever you borrow it from not to worry, because we will repay that \$150 million over a 20-year period."

First, we have \$600 million a year on school capital that the province historically provided in grants but is now getting the school boards to go out and borrow and it will undertake to repay it over 20 years; similarly with sewer and water. That's great for the government for about two or three years, until the debt piles up on those other books. That's one thing that worries me about the sewer and water corporation.

The second thing is this. I think we all have to go in with our eyes wide open on the sewer and water corporation. It only works if you move to full-cost recovery, I think is the jargon; I hope I've got the language right. The premise of the establishment of the Ontario sewer and water corporation is that future projects must be on full-cost recovery. Conceptually, that's fairly easy to nod to, but in reality, when you get down to the details, what it generally means is a doubling or tripling of your water bill. That's generally what it means.

I think all of us support the need to refurbish our infrastructure on sewer and water. If we're going to have the kind of environment we want now and in the future, we're going to have to make some significant investments. But I think we have to at least recognize to ourselves, what does it mean? It means people's water bills in the areas where they get this will go from somewhere around \$250 per household to somewhere between \$500 and \$750 a household. That's the real cost, but I'm not sure people are prepared for that yet. I'm not sure they'll view it as anything other than a tax by a different name.

Many will say: "It happens that in our municipality we've happened to pay that for water because over the years we have subsidized it through our property tax,

and now my property tax isn't going to drop but my water bill's going to go up between 100% and 200%. It's going to go to \$500 or \$750."

In some respects we've never had that debate here. In some respects this bill is presupposing that that debate's taken place. My understanding of the bill is that the only way the sewer and water corporation can really work is if you move to full-cost recovery, and when you're talking full-cost recovery, you're talking generally about a very substantial increase in water rates.

One thing I think the public is increasingly aware of now is that governments are finding creative ways of imposing taxes under a different name. I don't think a day goes by that I don't get a call from someone saying, "Do you know what just happened to my fee" for something?

I think the government is brilliant moving to the five-year licences. It used to be a three-year licence and it's now, I think, five years; you renew your licence for five years. It's brilliant because in 1993, 1994 and 1995, the revenue the government gets goes up dramatically. Now, in 1996 and 1997 there is zero revenue from personal licences in the province because everybody will have bought their five-year licence and nobody will renew their licence in 1996 and 1997, unless they're a brand-new driver. So it's brilliant on behalf of the government that's in power up until 1995, and then the ones in 1996 and 1997 will suddenly find for two years there's zero revenue on drivers' licences. I don't know how much that is. I think it's \$100 million a year; not insignificant.

The point I'm making is that as governments say, "We have to find creative new revenue sources and we want to stay away from taxes," it's fees, fees of every kind. I can imagine that the Minister of Finance has probably turned over every stone there is to find ways to take fees up. I repeat, I get calls daily. I had a call from some constituents of mine who want to appeal their property tax. They feel their property tax is too high. Well, guess what? There's now a fairly significant fee attached to appealing your property tax. Creative: It will raise millions of dollars of new revenue. Wherever people are turning now, they're finding the fees.

That's what I think we're going to find when the toll road finally materializes. People will understand that this is just a creative tax on them. By the way, I repeat what I said earlier: I think the people along the Highway 407 area will be particularly interested in the toll roads.

On the sewer and water corporation, the things I want to highlight are, first, that it presupposes we move to a full-cost recovery on our sewer and water projects, and I think many environmentalists would agree with that. Conceptually, I think many people would say there is a need to recognize what it truly costs us to maintain our quality of water and our quality sewage system. But

when that first bill comes out and you find your water costs have gone from \$250 to \$750, I'm not sure I want to be the one answering that phone call.

As I say, the reason I raise this is that this is quite an omnibus bill, and it is sliding through on the merit of public-private sector partnerships and finding ways to get things going and create jobs, both of which we very much support, but we feel an obligation to highlight the concerns behind it.

1640

The fourth crown corporation, crown agency, schedule 4 agency that's being set up here is the Ontario Financing Authority. It's less clear in the bill what its role is, but it is clear that it will be first a crown agency out of the eye of the Legislature. Workers' Compensation is a similar agency and the Minister of Labour often, as I did—I used to be the Minister of Labour—gets a question on Workers' Compensation and says, "It is not my role to interfere in the day-to-day operations of Workers' Compensation." We're going to do the same thing with this Ontario Financing Authority.

I don't think there's perhaps anything more fundamental to the province than the management of its finances and the management of its debt. I dare say that it's important today and it's going to be more important in the years ahead. I think everyone now understands that the debt has essentially doubled in the last three years, that we're looking at a debt going probably to \$90 billion in two years.

This agency called the Ontario Financing Authority is going to manage all of that plus the Hydro debt, plus it will, as I understand the bill, take on the responsibility for borrowing where school boards want to and where hospitals want to and where colleges—a huge responsibility, and it is completely out of the authority of the Legislature.

People can say, "Well, you can ask questions on it." Yes, but it's like Workers' Compensation; it is a schedule agency away from here. The Minister of Finance of the day can say: "You don't expect me to get involved in the day-to-day operations of this. It has its own board, it has the outside expertise and all of those things."

That one I frankly see relatively little merit in. As I said before, I've tried to be fair about the merit in the transportation and in the sewer and water, but I see relatively little merit in the Ontario Financing Authority and I see an awful lot of downside for the public. I see that the sort of opportunity, on a day-to-day basis, for us to ask questions about where the borrowing is taking place and how we are managing the debt—all of those things will no longer be possible here in the Legislature. I see no public benefit in the Ontario Financing Authority and I see some major risks.

The fourth one, as I said, the Ontario Realty Corp I would speculate is probably one of the things that really



got the auditor's antenna up, where at the end of March \$450 million worth of land sold.

**Mr Gregory S. Sorbara (York Centre):** It got dumped on to the market.

**Mr Phillips:** Dumped on to the market, my colleague said. Furthermore, it's often the Ontario Realty Corp, which is "an arm's-length, independent agency," where out of the sight and scrutiny of the Legislature—and then the idea of selling \$500 million worth of jails and courthouses I think is questionable, is probably the most charitable thing I can say.

The only thing they've ruled out, by the way, I think they've agreed they won't sell the Legislature.

**Mr Sorbara:** It's not theirs. They rent it from the University of Toronto. It belongs to the University of Toronto.

**Mr Phillips:** That may be.

**Mr Sorbara:** The government House leader knows that.

**Mr Phillips:** It says buildings that aren't saleable. You're right. So it catches the Legislative Building. I guess the reason they can't do it is that we don't own it. Is that—

**Mr Sorbara:** We don't own it, no. It's a long-term lease.

**Mr Phillips:** It would be a mistake to try to sell it then, because I think the auditor would be upset with that.

On that, on the Ontario Realty Corp, I think there are serious questions that have to be asked about why it is being set up in this fashion and some of the transactions that are taking place, including, as I say, last year's \$450 million worth of land being sold and this year the plan to sell \$500 million worth of jails and hospitals.

**Mr Sorbara:** On a point of order, Madam Speaker: I think the remarks of my friend from Scarborough-Agincourt are important enough so that the government could do us the courtesy of providing a quorum for the House.

**The Acting Speaker:** Could the Clerk please determine if there is a quorum present.

**Clerk Assistant and Clerk of Committees:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Acting Speaker:** The member for Scarborough-Agincourt has the floor and may wish to resume his remarks.

**Mr Phillips:** The realty corporation—I've indicated many of the concerns that I think the public have. Most reasonable people are clearly of the opinion that government must dispose of its surplus assets, and I could not agree more. Where the public gets cynical about what

we do is when we say we're going to sell \$500 million worth of our jails and our courtrooms and then turn around and lease them back instantly, where we essentially just simply borrow money from ourselves. Again, I think that's where the Provincial Auditor really raised his concern.

The next thing I'd like to talk about is just the establishment of these schedule 4 agencies. They're a new breed. There were not what are called schedule 4 agencies established until really 12 months ago, I think. In the last 12 months, we've had eight of them established: the Ontario Training and Adjustment Board, OTAB as we refer to it here; the four that are being established here; the property assessment corporation—remember I mentioned earlier that suddenly some brand-new fees have come into the assessment process. I'm sure that's the first step by the Ontario Property Assessment Corp—the road safety agency and AgriCorp.

What is the purpose of these things? The president of OPSEU in one of his comments said in his judgement—why are they being set up?—in his judgement they are being set up to move spending and head count off the government books. That was in his judgement the prime motivation behind setting up these schedule 4 agencies.

**1650**

With just the four agencies that we're talking about today, the realty corporation, the financing corporation, transportation and sewer and water, my understanding from the testimony is that there will be almost 3,000 people who used to be on the government payroll and head count, civil servants who would be regarded as with the government, who will be moved off the books into the schedule 4 agencies. Nothing's changed. All of their status remains the same. In fact, if you flip open the phone book now, actually the Ontario Realty Corp—

**Mr Sorbara:** Is a reality.

**Mr Phillips:** The Ontario Realty Corp is a reality; it's there. Government Services no longer exists in the phone book; you look under Ontario Realty Corp.

**Mr Sorbara:** Parliament shouldn't interfere with the will of the government, should it? Why should Parliament interfere?

**Mr Phillips:** How many people are we talking about? Three thousand. The clean water agency will have in the order of 1,000 staff; the realty corp between 1,300 and 1,500 staff; the financing authority will have in the order of 250 staff, including the provincial savings offices; the transportation office will be quite small, I gather, with 10 to 15.

My point is that with just those four agencies 3,000 people will be moving, just artificially moving, with a stroke of a pen, off the government books on to another book.

If I were in government, it may be a good thing to do because as you are heading up to, as they say, the end

of a mandate, you'll show the number of people working for the government now, the number of people working then, and show reductions, but much of it's artificial if all we're doing is the same number of people being moved off the books.

Similarly with spending, because if you look at the budget, the government, just on capital alone, is saying, "We are going to continue to spend"—this was at the time they presented the budget—"on capital \$3.9 billion, but we're going to move \$800 million of that off our books on to someone else's books. It's \$800 million this year; next year, as I recall, the capital spending off the books goes to \$1.2 billion; \$1.7 billion.

Make no mistake that a major objective of this bill is to keep spending the money, but try and get it reported somewhere else, try and get it on someone else's books; keep the number of staff, but try and get it on someone else's books.

The reason I raise this, and the problem with it, is that we do have a financial problem in the country. I think we all understand and accept that. We will never deal effectively with it unless we collectively understand and agree on the magnitude of it. As long as we continue to focus on, in my opinion, playing games with the numbers rather than looking at the real numbers, the public has difficulty in being able to deal effectively with the problem. I go back to complimenting the auditor who I think is going to be an ally for the opposition in terms of dealing with this.

Bill 17 is a bill that, as I've tried to articulate in my comments, has some merit. The parts of it that merit support are these private-public sector partnerships. I repeat that I know there are dozens, if not hundreds, of companies out there right now that are anxious to get on with this public-private sector partnership, and we see merit in that. In fact, as I said earlier, you're going to see a major conference in the month of November on it. It's a thing that most organizations are prepared to look at. That has merit. Finding those new partnerships, as I say, has merit.

Things that I think all of us need to worry about on this bill: the attempt to hide significant amounts of debt on someone else's books. We will only fool ourselves for a very short period of time. As I say, the most obvious one, \$600 million worth of school capital, is just so transparent. Looking at selling \$500 million worth of jails and courthouses to ourselves is totally transparent.

The \$450 million worth of land: As I say, some of it, I hope, is legitimate and has been properly evaluated. I was told earlier today that some of the ones that we were told were sold weren't in fact sold. I'm not sure we've been given the right information, but I'll make the assumption that the \$450 million which the government took into revenue last year and says was a result of these sales is true.

The realty corporation: major reservations about it. The sewer and water corporation: As I say, the good part about it can be some new partnerships. The problems will be, as I said before, that the government every year spends \$150 million on capital in those areas. They're now going to continue to spend \$150 million, but run it up as a debt. We're just going to run up roughly \$150 million worth of new debt on someone else's books, along with the \$600 million of school and hospital capital.

The Ontario Financing Authority, as I said, will have the responsibility for managing well over \$100 billion of debt. Here it is: at arm's length, schedule 4, out of the Legislature, off the consolidated revenue, hidden from public scrutiny. It makes no sense to me. That one makes no sense to me and it made no sense, frankly, at the hearings.

Finally, I think we are well served by the Provincial Auditor, who has been galvanized into action as a result of this bill. The Provincial Auditor commented on last year's public accounts, the 1992-93 public accounts. He, by the way, confirmed what we had been saying all along, and that is that the province had delayed making a payment to the pension funds.

This always bothered me. The province owed the pension funds of the teachers and the public servants \$584 million, due January 1, 1993, last fiscal year. The province delayed it for three months, to April 1, into this fiscal year. That was bad enough. The auditor says: "Listen, that's distorting the books. That was an expense that should have been last year. You moved it."

But what really made me angry was that the province, in order to get agreement from the pension managers to do that, had to pay 11.25% interest on that. That cost the taxpayers of this province \$50,000 a day, for nothing. That's what really irritated me. The auditor has pointed out the distortion of the financial numbers, but the agreement was that the province had to pay 11.25% interest on that money for the three months that it delayed the payments. That's \$50,000 a day. Believe me, we got nothing for that—zero—other than that the Premier was allowed to report a deficit \$584 million lower than it originally was. That made my blood boil. I've raised that issue several times. The numbers have been confirmed.

**1700**

When you start to play games, it costs. It costs in terms of credibility, and that one cost the taxpayers \$50,000 a day on increased interest payments, which I thought was a travesty; I really did. I don't know how the government ever allowed itself to do that, and I don't know why the taxpayers haven't been as—I guess they have been as angry as I have about that.

The bad part of this bill is that I think a prime motivator behind the bill is to try and distort the real finances of the province. I've articulated today many of



the areas where I think that's happening. The challenge for us in opposition is to recognize that in the bill there are certain elements that merit support, but at the same time to take the opportunity to point out where there are some real deficiencies in the bill. I hope the public has a better appreciation of it. Certainly we in the opposition will, as we've been doing today, continue to point out the concerns we have with the bill.

I'm encouraged by the Provincial Auditor's intention to really bird-dog this thing and to ensure that the government not be allowed to get away with the distorting part of this bill.

I'll look forward to the remainder of the debate and to the opportunity to vote on this some time in the near future.

**The Speaker (Hon David Warner):** I thank the honourable member for Scarborough-Agincourt for his contribution to the debate and invite any questions and/or comments.

**Mr Sutherland:** I thank the member for Scarborough-Agincourt for participating in the debate. He didn't raise a lot new today; he raised the same comments that he did in second reading and at committee, and that's fair enough. But I think the member for Scarborough-Agincourt is being selective in what information he's presenting. I guess that's the nature of political life.

He talked about the MUSH sector going from a grant system to loans-based financing, saying that school boards will have to go out and carry the loans. What he doesn't say is that we've guaranteed that we're going to sign a legally binding contract to guarantee that we're going to give them the money to cover the debt and interest. That's a pretty important point to leave out.

He talked about the clean water agency and about water rates going up. Well, first of all, the clean water agency is not the organization that will be setting the rates. It will still be local municipalities that have the authority to set what the water rates are.

He said this bill is going to send us in the direction of full-cost recovery for water rates. I'd like to suggest that if this bill weren't in place—probably the direction everyone suggests we go is into full-cost recovery for water rates, so to suggest it's the bill doing that is not accurate.

He also suggested that what the financing authority is going to do will be hidden from the Legislature. That's simply not the case. Like any other corporation under Management Board directives, it will have to table annual reports. Those reports will have to come before the Legislature, so the information is not going to be hidden from the Legislature and from the public.

I appreciate his comments but, in fairness, the whole story needs to be told, and not just parts of it.

**Mrs Barbara Sullivan (Halton Centre):** I think the

member for Scarborough-Agincourt did a service to the House in his remarks today, because he spoke quite positively about the need for a new capital infrastructure that we all recognize is a burning matter in many areas of the province. He spoke about the need for innovative financing mechanisms which are recognized not only in this jurisdiction but in other jurisdictions as well, and those innovative financing mechanisms will assist in keeping Ontario competitive.

He also spoke, however, of the need for integrity in the presentation of the financial statements of the province. Mr Speaker, I think you know and many other members will know that there is a syndicate of investment dealers who provide advice and counsel to the province, through the Minister of Finance, with respect to their capital issues and their financial planning for capital. Those investment dealers, not only Canadian but American and European and Japanese, assist in the taking of those public debt issues to the market. The investment dealers have also provided advice to the government that there must be integrity in the financial statements that are produced by the province. The investment dealers have indicated to the Treasurer and to others in this government that those obligations which are created through the transportation capital corporation, the clean water agency, the realty corporation and the financing authority should be consolidated into the statements of the total provincial accounts at the conclusion of each year; not tabled in the Legislature, as the parliamentary assistant suggests would happen, as separate entities, but included as a part of the consolidated statement of liabilities and assets and expenditures and revenues of the province. They should be there in full force for everyone to see.

**The Speaker:** The member's time has expired. Further questions or comments?

**Mr Turnbull:** My colleague the member for Scarborough-Agincourt raised a very important issue when he started speaking about the question of sale and leaseback of crown property. In the experience of the commercial real estate market, typically, those companies that go to that vehicle for financing are really at their last gasp, and one of the reasons that rents are usually set at a rather high rate to the company that purchases the property and then leases it back to the vendor is because they know there is an increased risk. Indeed, one of the first things any purchaser looks at in assessing the purchase is the risk factor.

I suspect the fact that Ontario is a very large and still a relatively prosperous province will allow the province to sell those assets, but I would suggest that this is still a giant shell game. When we start talking about sale and leasebacks of jails and courthouses, the obvious question is, is the government going to suggest that there should be a withholding tax exemption, such as the withholding tax exemption the government wanted from the federal

government when the province was seeking to sell the rolling stock of GO? In other words, they were going to sell it to offshore investors, and the very people this government normally vilifies as corporate welfare bums, the people who would invest, would probably be seeking some sort of tax shelter. Apparently, this government found that quite appropriate when it was talking about selling GO stock. My question would be, is that what they're thinking about with respect to their properties?

**The Speaker:** Further questions or comments?

**Mr Stockwell:** The member for Scarborough-Agincourt has offered up some rather interesting points of view. Considering the concerns that he has outlined in his statement, or dissertation, to this House, it appears that the Conservatives and Liberals are on the same side of this particular issue. We certainly enjoy the support from the Liberal caucus in not supporting this kind of jiggery-pokery. This is the kind of thing the auditor was talking about.

When we asked the questions today of the Treasurer of Ontario—or the Finance minister, whatever his title is—exactly this is what we were speaking about, and exactly this is what the auditor was speaking about. He was saying: “You’ve got to get your books in order. You’ve got to start reporting out expenses year-in.” They’ve got to be tabled here so all of us and the public out there know exactly where we are in fiscal matters.

*Interjection.*

**Mr Stockwell:** We’ve got the member from Cochrane mouthing on the way out, I suppose, Mr Speaker. Just let him leave. Thank you.

We’re looking at this exact issue, where you can start four crown corporations and move debt off, move employees off, and so on and so forth, and not report out in a consolidated manner. If this government learned one thing, and one thing only, from the auditor’s statement, it should have been that he doesn’t like this stuff. He believes in his heart, as you read his report, that you’re just trying to fudge the figures. I think that’s important to bring out.

1710

I applaud the critic for Finance from the Liberal Party. It’s very clear he’s seen through this. It’s very clear that they’ve seen through this bit of deception offered up by the government, and I will say to them I thank them for bringing this forward. I’m very pleased to see that they’re going to line up on the side of the auditor, they’re going to line up on the side of what’s right, they’re going to line up on the side of what’s good for the taxpayers in the province of Ontario, they’re going to tell them what the truth is and, if it’s tough business, they’re still going to let them know because the taxpayers, and the Liberals will tell you this, have a right to know.

**The Speaker:** The honourable member for Scarborough-Agincourt has up to two minutes for his reply.

**Mr Phillips:** I appreciate all of the comments and I won’t try to respond to all of them in detail, but the member for Oxford made my point. He confirmed exactly what I said, and that is that you’re going to have the school boards go out and borrow \$600 million on your behalf and you’ll commit to pay it back. That’s my point. I made that point exactly.

It’s so transparent. You’re going to say to them: “I don’t want to have to go out and borrow \$600 million because people are getting very tired of me. You go borrow it for me and you tell them, ‘Don’t worry. The province will pay it.’” What in the world are we doing? Why don’t you just borrow the money yourself?

The member for Halton Centre I thought had very solid advice, consistent with what the Provincial Auditor has said. The Provincial Auditor in his report says, “The inclusion of all organizations owned or controlled by the government in order to provide an account of the full nature and extent of financial affairs and resources of which the government is responsible have to be part of the consolidated statements.” The member for Halton Centre, who knows finances well, makes that point and I agree with it completely.

The member for York Mills raises a good point about examples of where the government is playing games with the books. As he points out, the GO train sales—selling \$325 million worth of rolling stock and then leasing it back and using out-of-country companies to buy it so they can depreciate it—it’s all transparent. It’s just like the selling of \$500 million worth of jails. Consequently, I think we have our position clearly before the Legislature.

**The Speaker:** Further debate? The member for Markham.

**Mr Cousens:** As we carry out the final gas in trying to bring some sense to the senseless, it’s an effort, at least by opposition parties, to cause the government to rethink, reconsider what it’s moving ahead with, with Bill 17, An Act to provide for the Capital Investment Plan of the Government of Ontario and for certain other matters related to financial administration.

It’s quite a thick bill. We spent several days in the Legislature debating it. We also spent a week during the summer in committee hearing from different agencies, boards and groups commenting on it.

A number of amendments have been made to the bill. The amendments that were presented by the government all passed. The amendments by opposition, as is usual for the last three years and a bit, were all defeated.

It still doesn’t take away the importance of members of the opposition to reflect on what this bill is all about, what it means and what its implications are for the



province. Sometimes one wonders whether there is any value to it, because by virtue of standing in this House and speaking out on it, the evidence is in on every bill that we've been dealing with that when the government decides it's going to proceed in spite of the vigorous opposition that we provide, in spite of very reasoned and carefully thought out amendments and considerations, the government will singlehandedly move ahead with its own agenda.

It's a consistent pattern of a government that has a majority and will use that majority to accomplish whatever ends it decides. If in their minds those purposes are totally valid and justified, then they proceed. If in fact other opinions come forward, I just have no way of knowing how one can persuade this government to rethink its positions.

It makes it very, very difficult when you're in opposition and you'd like to be able to contribute something. The most that I will be able to contribute today is something to Hansard. I will have the satisfaction of at least having put on the record the concerns of our leader, Mr Harris, the member for Nipissing, members of my party and also people who are raising the kind of concerns that I hope to draw attention to.

As with everything that their government does, it's not all bad. But what is bad is the hidden agenda or what might well be the real secret aspect to what this bill is all about.

Let me just comment: On May 17, the government announced what this new infrastructure was all about, and in so doing unveiled all the great benefits that would accrue to this bill. Let's just highlight it, because we all want to see certain benefits. But the underlying question that I ask is, would you have to start up four new crown corporations in order to achieve these objectives? And if you're able to do it in other ways, why then go to all the effort and the sleight of hand that is part of this presentation and this bill to bring it forward and cause us to think we're really getting something fantastic?

When you start looking at it, it says it's going to enable universities, hospitals and school boards to gain access to loan-based financing for capital projects. Yes, so it will. But you could also do it through the existing system. It's going to be a new way for the government to do business. Well, you can do business with government if you know how to open the doors over there and how to allow business to come in. But this is going to be the new way to do business with government.

You don't necessarily have to have four new crown corporations to achieve that objective. If you just had cabinet ministers who answered their phones or opened the doors, or a receptionist who said, "Look, the world of business, we as a government want to do business with you. The government is not going to operate in isolation. The government is actually willing to entertain

ideas that can allow us to get the market going and other forces and juices of the province so that enterprise can exist," so that government is not operating in isolation but the government at that point would be working in cooperation with business and industry and labour.

But no, the government isn't prepared to do that, so the government's saying, "Well, no, what we're going to do here is we're going to start up a whole set of crown corporations to work with business." False premise. The real place to start doing that is with ministers, members of the Legislature, parliamentary assistants, deputy ministers, the whole system of some 90,000 people who make up the key working force of the public service of the province of Ontario, to give them the message from the government that says, "We're open for business and we want to do work with the public and private sector," that everybody is going to be welcomed if they've got some way of getting Ontario back to work.

No. This is the way the government does it: They're going to come along and boast at election time, "We went and brought in these four crown corporations and those are the models we're looking to as to how the government is trying to work with the private sector." It doesn't need to do it that way. The government itself could instead have a far more open-door spirit to the private sector and to all people who want to do business with them.

Again, one of the premises to the legislation is that through these bills we're going to have a way of doing private sector business, and in fact that's what's deluded and I think misled a number of the private sector people when they see, "Okay, at least we have a chance to bid on some roads now. The 407 is going to go ahead, so please don't object to the Ontario Transportation Capital Corp, because it's a good thing." I agree. To get 407 and new highways built, however they're going to be done, is a good thing. But do you need to have a new crown corporation to achieve that goal? Very simply, our caucus believes no, that is not necessary.

He goes on to say—now, this is the kind of bragging the minister gave when he announced this fantastic new bill. He said, "This bill is going to be efficient, flexible and cost-effective." Well, I again challenge the government to go back and look at every ministry and every minister and every deputy and everyone within the whole public service and ask them, instead of coming along again and saying, "It's going to be over there" where you're going to have the efficiency and flexibility and cost-effectiveness. Everyone who is within our public service in the province of Ontario should bring that to their jobs.

1720

I know it's very difficult to do that all the time when you're so busy responding to certain kinds of needs.

The job of being in the public service is not an easy one. The job of serving the communities and people with problems and needs all across our great province is not something that just happens. As to the commitment by people in Community and Social Services to help those people in the field, and those who are in sports and recreation or culture or citizenship, we're most blessed in the province by having such a dedicated public service.

But as to the concept that starts at the top with an industry or a business that says, "We have a mission statement and the mission statement for our organization is that we are going to be efficient and flexible and cost-effective," again, what we have is the use of words that sidetrack the issue into crown corporations. There is nothing that is being expected from these crown corporations that cannot nor should not be implicit and an integral part of what the government is all about.

Then he goes out and they describe how this is going to be more cost-effective to develop highways and rapid transit. We all want the end objective, but as you start looking at what I'm leading up to, you're seeing the whole use of words, where the government has just flowered up this announcement in such a way that it would make you think we're getting something through these crown corporations that otherwise would not be possible.

Underneath the words is fraud. Underneath all the very kind, lovely words of what they're describing is an ugly, dirty, rotten fraud of the government of Ontario. I see this as a way in which there is a second agenda, and that second agenda has to do with moving the money from the Ontario budget to another agency—

**Mr Anthony Perruzza (Downsview):** Mr Speaker, that comes really close. That's like about that far away.

**The Speaker:** Order, the member for Markham. I note that the member for Markham did not accuse any individual member of the House of committing fraud. However, the member might wish to select his words carefully so as to at least not cause disorder.

**Mr Cousens:** Is "fraud" out of order, Mr Speaker, when it's used in the proper context?

**Ms Christel Haeck (St Catharines-Brock):** I beg your pardon?

**Mr Cousens:** In fact, it is in the proper context. As we discussed this in our own caucus this week, and as we've been dealing with what this government is trying to do with the transferring, the magical removal of moneys that are part of the province of Ontario, from the books of the province to—

**Mr Perruzza:** You guys are developing a monopoly on self-righteousness. You can go to the bank, make a deposit—

**Mr Cousens:** If the honourable members are going to interrupt—

**The Speaker:** Order.

**Mr Cousens:** You're allowed to interrupt me, Mr Speaker, but if they can't stand up and speak on this as they're supposed to, I'd ask you to deal with them accordingly.

**The Speaker:** The member for Markham has the floor.

**Mr Cousens:** The point that I'm making is that it is fraudulent when you come along and start moving moneys from one set of books to another set of books and give the whole impression that what you're doing is something beautiful and pretty. The fact is, it's ugly and it's underhanded and it's fraudulent.

Here's where it is. You go to page 19 of the very important book that comes out from the province, the Ontario budget. In the budget the government outlines its capital expenditures for the year, and in that way we have a sense of knowing what's going on. You add up the books and what they're then saying is that the budgetary requirement for the year is going to amount to a deficit of \$9.2 billion in total for the province of Ontario.

That's the number the media and the public walk away with. They say: "Hey, it's under \$10 billion. Isn't that good?" Isn't that good, Chris? The government's operating. Isn't that something, that number? The number's wrong. All you have to do is go and read the fine print, the double asterisk underneath that when it talks about capital expenditure.

**Mr Stockwell:** Ah, the old double asterisk trick.

**Mr Cousens:** This has a double asterisk trick, and the asterisk says, "Capital expenditure and debt adjusted to reflect new capital financing arrangements by \$0.8 billion in 1993-94, by \$1.2 billion in 1994-95," and in 1995-96, by \$1.7 billion.

The issue is that what the government is trying to do is say, "We are operating with budgetary requirements of \$9.2 billion," but you know, they don't go and put on the printed page—it's too bad the cameras can't get it here. The honourable members have their own copy of the budget, which everyone was provided with, but if you take and add the \$0.8 billion, that gives you very simply a \$10-billion deficit.

That just leads to other questions, because we keep on asking the Minister of Finance, "What is the deficit?" and the number keeps changing, for a combination of reasons. The economy still isn't good, but he sure doesn't know how to forecast it, and the government continues to spend money on programs and programs. But the issue here is not on other issues; it has to do with the way in which the government presents the books. The books do not reflect the very real cost that is being set aside to start up these capital corporations.

As long as you understand that the government is going to follow its own agenda, that the government is



going to take those moneys and do what it wants to do with them, what we as parliamentarians have to face up to is that as the money is moved off the books of the province of Ontario to crown corporations, there is an increasing removal of the purpose of members of the Legislature.

Therefore, as with previous decisions of the government, the decision-making powers that are being moved away from sitting members of the Legislature through to the ministers' offices or, through them, to crown corporations mean that there is less need for Parliament itself. We are being run more and more by committee or by bureaucrats who have been given the powers that should be here in this House, represented through responsible ministers who then are able to bring forward all the information and data and background that pertains to these crown corporations. The moment you start moving it off the books into smaller crown corporations is the moment you take it away from being accessible to members of the House through either questions we ask of a minister or through other ways by which we can get the data.

We end up having to go to annual reports like Ontario Hydro. Ontario Hydro is a crown corporation, so if we want to know what is going on in Ontario Hydro—it has a board of directors. Michael Cassidy, former leader of the Ontario NDP, and other people they have appointed to the boards are the ones who have become directors of the crown corporations, not the members of the Legislature, who should be the boards of directors for all the agencies and all the activities that are going on in the province of Ontario, not others who are not elected to that responsibility.

As we have built these empires that are no longer part of what the Legislature is all about, we end up diminishing the role and responsibility of members of the Legislature and build the private empires of others who become the heads, who run those organizations.

I see this as a significant matter in a number of ways. One of the big issues is, first, the loss of control by the elected members. It's something I have never seen as much as I have during the past three years when the socialists took control of the province on September 6. When they took control on that day, the people of Ontario had a real good feeling about Mr Rae. He said his was going to be an open government, that he was going to be accessible. He had his Agenda for People, and they thought it was going to be a government that was available.

What has happened is that with this kind of decision and others which I'll refer to that are like it, it's a removal of power from this place, this House, the chamber which makes the rules and laws of the province of Ontario, to these other agencies.

1730

The classic of all classics, which has my community

still up in arms, is Bill 143 and the creation of an Interim Waste Authority. If ever anyone tried to find anything out about the Interim Waste Authority from the Minister of the Environment when it was Mrs Grier, who started it, or now from Mr Wildman, you're just whistling in the wind. You can't get any answers because the minister says: "Oh, they're in the process of studying this. They don't necessarily have to report to me until they've completed their study and their evaluation." By being one step removed from the Legislature, it is almost out of reach for those of us who have concerns about different issues.

The Interim Waste Authority's a classic, where the government has set up a special authority in which the sole shareholder is the Minister of Environment and Energy. The minister has total control over what goes on when they finally make their report and takes the responsibility for it. Meanwhile, during the confusing process they're involved with, we as members have lost our ability to put our finger on issues that come up.

All you had to do is see the outrage of the mayor of the city of Vaughan and her extreme displeasure at the way the Interim Waste Authority—it's a classic example of the way crown authorities come along and are given authority to do something. They say the terms of reference will be the selection of 57 landfill sites and then, after they have started that process, at the last minute, when they're down to their short list of selecting one landfill site for York, Durham and Peel, they say, "In the city of Vaughan, there's a certain sand and gravel pit we didn't look at in the first series of sites, so now we're going to add it to the list." They don't extend the time frame for people to analyse that new study. They don't give the opportunity for the public to understand what they're doing. You just get an announcement. It's by fiat, some marvellous way in which the government decides things.

There's the mayor of one of our leading cities in Canada trying to understand and react responsibly to a government crown corporation, the Interim Waste Authority, and can't. Her member of the Legislature, who tries to bring forward questions, as well as myself in the neighbouring community can't, because the Interim Waste Authority is out of reach.

That is what's being created with the four new crown corporations. That is exactly what we've got with Ontario Hydro, a huge corporation out of control. You start looking at it and say, what are the statistics? The only place you can find them is when you get to the annual report and see that the costs are \$7.4 billion, \$7.5 billion, \$7.6 billion in 1992. Then you start looking at what's the long-term debt. It was \$34 billion in 1992, and that's up from \$25 billion in 1988. It just keeps rising. It's out of control, because there's no one in charge of the shop. It's so far removed that even the minister, who gets involved in other activity, important

or otherwise, doesn't have the opportunity to really get his or her finger on it, or hand or whatever. It's out of control.

When we, as members of the Legislature, receive a presentation from the Minister of Finance saying, "I'm introducing four new crown corporations as part of the new Ontario plan to expand and build infrastructure," understand that in his words he's making it sound attractive and good and nice. Underneath that is the business of—first of all I make the point of loss of control, which I've touched upon, because the running of these corporations, the administration of them, is now going to be through other officers in the schedule 4 companies, as is described under all kinds of agreements. It's still outside our reach.

The second point is the way in which, through the establishment of Bill 17, the government is going to be in a position to move not only money off the books of the province of Ontario—as it already has, as I pointed out, in the Ontario budget document; some \$0.8 billion is being moved off this year—but also, watch what happens in the next provincial election. We can't announce the date yet because the Premier decides, but it's probably in the spring of 1995. Fifteen to 18 months from now, the Ontario Legislature will be up for re-election.

We'll be out campaigning and stumping away in the short time of a campaign period, and when the government makes its announcement, "We have decreased the number of people in the public service in the province of Ontario," people are going to say: "Isn't that something. How many have you decreased it by?" They're going to come up with a number. I'm not sure what it will be; it could be 2,000, it could be 3,000. The number I'm thinking of is the one that pertains to the establishment of the four crown corporations, where the government has moved people from the public service payroll to the schedule 4 agencies they're now under as crown corporations.

They've moved the money off the books and they'll move the people off the books, and then the government's going to say, "Aren't we doing a fine job? We've reduced the number of public servants in the province of Ontario" by whatever number that is, and that is fraudulent. I call that a deceitful way of dealing with the truth. If people are supposed to be stupid, then the government is assuming that the public does not understand—

**The Speaker:** I caution the member on his use of language. I know that the honourable member for Markham would not want to use language which would cause disorder in the House, and I also know he would not want to use language which diminishes the stature of our Parliament. I would ask him to please carefully consider his language.

**Mr Cousens:** I appreciate it. I think one of the

important things is that in the House we at least have room for honesty and that there is a place for integrity. I certainly want to bring that in everything I'm trying to do.

I'll have to go back to a thesaurus and find another word to describe the very thing that is going on here. It's the removal of certain numbers from the books and putting them in another set of books, and the books you look at don't give you the numbers that are the real numbers. I'd like to find a way of describing that. If there is some way of saying it without using the words I just used, I would be interested. Maybe someone could phone me and tell me another word to describe that, where the government says, "Here's the real deficit of the province of Ontario; it's \$9.2 billion," but if you look in the fine print and in the annual reports of the new crown corporations, in fact it is another \$0.8 billion that's already part of the cost of doing business in Ontario.

Does that get a name of some kind? An auditor would call it dishonest accounting. If you were in a public business, you'd be going after the corporation and trying to get the head of that business—actually the upper part of the body—and have them removed from office. Indeed, I will seek to do that in other ways: I'll seek to remove the NDP from office in the forthcoming provincial election.

I intend to make sure that people understand that what the government is purporting to do in these bills is something very positive. To get Highway 407, to get the new waterworks, to do some of these things is positive, but you don't need to change the books, to put it into another set of books; you don't need to cook the books, the way this government's doing. That becomes the whole point of what we can maybe call the shell game, the mammoth shell game of the province of Ontario, where the New Democrats have ways of moving money from one box to another box. The problem is that you really don't know where the shells are any more.

Our job as responsible opposition is to make sure that when this government is starting to transfer not only money from the general expenditures of the province but people from where they are in the public service, that doesn't go unnoticed. We are going to act as the public conscience and, hopefully, through our process, make sure that the government understands that at least it hasn't fooled the opposition at Queen's Park.

We continue to look at what the government's doing. I condemn them for the removal of control by the Legislature. I condemn this government for the way it is taking the data that are part of the system of the province of Ontario and hiding them in different ways. You don't like the word "fraudulent" for that, Mr Speaker, and the last thing I want to do is use the wrong word, but that's the best I can come up with for



what is in fact a very, very bad scene.

1740

The third really overriding issue that surrounds it is that the government's losing accountability. One of the most interesting events during our public hearings was when the new Provincial Auditor made his excellent presentation to the committee—

**Mr Randy R. Hope (Chatham-Kent):** Were you there?

**Mr Cousens:** I was there and I was awake at the time. He had that committee very much in rapt attention to what he was having to say. I have a copy here of his presentation of August 17. What he was trying to do was bring in ways in which there could be management of the new crown corporations in such a way that they would be accountable to the public of Ontario. He made a series of proposals, and all these proposals were tabled with the sense of truly bringing some of the management principles that would allow legislators to understand and know that what's going on within these corporations is according to proven, accepted standards of accounting.

The tragedy that I remember so well is that there was only one recommendation that the minister's staff accepted of the auditor and that was that they at least have an auditor within the system, that the books could be audited by the province of Ontario. Originally, when this legislation came forward, there was not even room for an audit of the books by the auditor. Can you believe that one? That's how bad this was. The whole bill, in setting up these four crown corporations, would have meant that those crown corporations would be out there operating by themselves and not even subject to a financial review of any kind by our Provincial Auditor.

Isn't that a way of really getting rid of the problem? They have not only moved the money off the books, they've now moved the staff off the books, and now they've said it's out of bounds for the Provincial Auditor to even have a look at it.

People say, "Is that true?" Yes. That is exactly what happened, because the original bill, a part of Bill 17, had no way in which the Provincial Auditor could have gone in and investigated what's going on there. That's just amazing, isn't it? Not only is it amazing, it's pitiful. It reflects something of the way in which the government is trying to establish something and hide from it.

So the auditor came in, and one of the things he asked for, very simply, is that the Provincial Auditor be the auditor of the corporation. They could still have internal auditors. Every large corporation such as this should have continuing, ongoing, internal audits so that they're on top of whatever it is they're doing. That was one of his recommendations, and that's the only one the minister's staff accepted.

His recommendations, in order to give an

accountability framework, were calling on management responsibility provisions. It's just the fundamentals of running a good business, not anything that's going to be highfalutin, but when you're starting up these four new crown corporations, at least begin them with the framework where they will then have the books, the records and the practices that will be:

"...in such manner as to provide reasonable assurance that (a) the assets of a corporation and of any subsidiary are safeguarded and controlled; (b) the transactions of a corporation and any subsidiary corporations are in accordance with this act...and (c) the financial, human and physical resources of a corporation and any subsidiary are managed economically and efficiently and their operations are carried out effectively."

How in the name of heaven could the minister and his staff say no to that kind of safeguard?

He also called for internal audits to be conducted in respect to itself and any subsidiaries. Again, ministry staff said no.

He also made recommendations for an annual reporting provision. It's not unlike the amendment that I tried to make on the social contract bill. On behalf of our caucus we had some 29 amendments for the social contract, and one of the amendments that I was most disappointed that they—

*Interjection.*

**Mr Cousens:** Oh, now, you've just woken up and you don't know the whole story.

We brought an amendment for the social contract that would have required the Minister of Finance to bring forward in the Legislature on an annual basis for the next three years the whole status of the social contract.

Part of the problem we have is that the social contract is a separate little function now set up within the government. I, as critic for the opposition in Finance, have not even been able to gain access to the data that were accumulated by the Minister of Finance with regard to the agreement. Now it's into October, some two months since they closed the doors on it, and still we can't gain access. What the government is doing consistently is covering up, closing the door, keeping things hidden.

When the Legislature recently wanted to look into the acquisition and the construction of the new Workers' Compensation tower in downtown Toronto, a \$200-million expenditure, the committee in the Legislature, which is controlled by a majority of New Democrats, voted against the possibility of the Legislature looking into that until 1996, by which time Bob Rae and his government will be history and the public will not have a chance to really deal with the facts that are there now. It's like sealing Nixon's files. The tapes are closed off to public review until a future time. Again, where is the accountability and openness of this government that Bob

Rae promised back on September 6, 1990? It isn't there.

What we're saying as well, in agreement with what the Provincial Auditor is calling for, is that these crown corporations should have certain provisions, and here he says it, "by June 30 of each year submit an annual report on the operations of the corporation and of its subsidiaries."

The annual report would contain financial statements of the corporation—that should be normal—the Provincial Auditor's report on the financial statements would also be included and addressed; "a statement on the extent to which the corporation has met its objectives for the fiscal year as set out in the corporate plan"—that makes sense—"quantitative information respecting the performance of the corporation, including any subsidiary corporations, relative to the corporation's objectives."

What he was really trying to do was bring forward, through these recommendations, generally accepted accounting principles, provide for the inclusion of the auditor's report so that it could be seen and at least read by those who want to read it and provide for the achieving of objectives, a performance-rating system.

Again, in an effort to bring accountability to these new crown corporations, the provincial New Democrats in committee ruled out recommendations that I put forward in the form of amendments that would have made this possible.

There is no guarantee at this point in time that the very simplistic, straightforward requests of the auditor are going to be carried out. I give credit to the parliamentary assistant, who has said there may well be a new memorandum of understanding, and that could bring in some or all or parts of these recommendations. If they're important, why not do them now? If they're valid, why not act on them now? If they're meaningful, let's not just put them aside for some future delay.

That's what happens. If you don't take hold of the whole issue that we're dealing with now in the establishment of these crown corporations and put the package together so it's complete, it's whole, it's understandable, it's accountable, it's open, it's public, then we've failed in our job to be responsible to our shareholders, the people of the province of Ontario.

Finally, in his recommendations, the auditor also called for certain proposals in planning and budgeting provisions, that annually, these corporations would "submit a corporate plan to the appropriate minister for his approval and recommendation to treasury board." As it stands now, we have these corporations starting up and we don't even know if they have a plan. We don't know the plan. We won't know the plan. If they have one, it's certainly not required by law, and it should be.

"The corporate plan of a corporation shall encompass all the businesses and activities, including investments, of the corporation and its subsidiaries." In other words, there won't be anything even they can hide under the

carpet. When they make their statement, when they come out with their report, it will be full and complete.

1750

That's the problem with Ontario Hydro. Don't underestimate it. What you hear and what the public gets is the glossy. You get the round number. You don't necessarily get the details; you don't find out what's really going on.

Then he goes on to ask for, and again the government turns down, commonsense business suggestions that the Provincial Auditor has suggested. The objects for which the corporation is incorporated would be restated each year. The corporation's objectives for the next five years and for each year in that period and the strategy that the corporation intends to employ to achieve them would also be delineated. The corporation's expected performance for the year in which it's doing business would be defined. The operating and capital budgets of the corporation for the next following financial year would also be outlined.

What I'm saying here—and I could go on. There is more of the kind of detail that was requested by the Provincial Auditor in committee which really is saying, number one, the government has not generically covered in Bill 17 the planning and budgetary processes for the establishment of these crown corporations. And because it hasn't, it should include in these established new corporations those very simple guidelines.

The next thing that he was asking for is that there would be accountability to the Legislative Assembly for performance against objectives, a very simple thing, so that you've got a performance orientation in government. Wouldn't that be refreshing? Part of the concern so many people have is that people in government are just moving on according to some agenda, but no one really knows where it's going to lead them, because any road will get them there.

This would be a way of ensuring that each of these corporations had a plan and was working to its plan and was measured by that plan. In that way, we as the public representatives would know that they are at least moving in the right direction or not.

Finally, the Provincial Auditor does suggest that if these amendments were made to the bill, legislators would have the ability to assess the performance, which even a memorandum of understanding would not provide. The memorandum of understanding is a way for the government to say, "Well, we'll deal with the problem in the future." We don't have time to deal with all the problems in the future, because we're going to be on to another crisis next week. When will we get back to dealing with Bill 17 and the establishment of these crown corporations? If you're doing it, do it right; do it right from the beginning. Don't come along afterwards and then say, "Oh well, we'll make amendments in the future along the way."



Do you wonder why our caucus is not happy? Our caucus is tremendously unhappy with what this bill is trying to do. Our caucus has every desire to see things happen. We want to see the building of infrastructure in the province of Ontario. We want to see the construction of Highway 407. We want to see things prosper, but they can prosper within existing ministries without setting up and establishing these shells and these organizations, which then become a way of the government hiding from its real responsibility.

I take each one of them and I look at them, and there's so much that we have yet to get on. First of all is the authority that continues to go through the Minister of Finance in the establishment of these financing authorities. As he establishes them, they're now structured and they've been given the provincial money; now what happens? If we can take each one of these, I would like, in brief, to comment on what happens.

The first thing that happens is that we have the transportation corporation. I haven't said too much positive about the government, and maybe I'd better find something. I can say one nice thing about it, because in our earlier presentation during second reading on this bill, having read—

*Interjection.*

**Mr Cousens:** It's amazing, but there are differences. The point that I raised at that time had to do with the decision by the government, I think it was section 46 of the bill, in which it was going to establish tolls on all roads in the province of Ontario. It certainly gave them the right to set up regulations on highways. In fact, the amendment I wanted would have been to remove this section, where they could designate any highway as a toll highway. The government amended the bill, so that is no longer the case. That really had me moving.

Before you come into the House and you're dealing with these bills, as we are—I was spending the time it takes to read it through. Then I came to section 47 and realized that the bill—again, it might have been something they tried to slip through and I caught. It might have been something they really intended to do, but how wrong that would be—the way it was, you could have had tolls on the 400 or 401 or existing 400 highways. The general intent now, by the amendment that was carried in committee, was that the tolls, when they are established, will be only on new 400 highways. So it'll only be on such highways where there are alternate ways so people who cannot afford, aren't able to pay, the toll have an alternate way of getting to their destination.

As much as I'm unhappy with the whole issue of having tolls—it's another form of taxation. We're already paying huge amounts of taxes through petroleum tax on gasoline and diesel fuels. How much of that is going to pay for highways, which was the original intention when you had those taxes? Not very much,

right now. But the fact of the matter is the government has moved off on that very bad piece of legislation that would have allowed it at any time, according to any whim, to bring about tolls on any road. So with that change, we have a chance of seeing something happen.

But now what we have is the formation of the Ontario Transportation Capital Corp. We're beginning to accept bids by corporations that are going to put consortiums together to accelerate and build Highway 407, which will be between Highway 7 and Highway 401 in the greater Toronto area. As one who has been fighting for 407 almost since I was elected in 1981, I'm pleased to see Highway 407 accelerated and speeded up.

But the issue has to be, do we need to establish another corporation in order to do it? Could this not have been done through the Ministry of Transportation? Could they not have had a special group that would have entertained ways for the private sector to come in, make its presentations and then work with it? The Ministry of Government Services has been doing this for a while and searching for ways of streamlining and improving certain systems and organizations. Why couldn't we have done the same thing with the transportation corporation? But the fact of the matter is that we are now faced with the transportation corporation, which will bring in its own new methodology.

We then have the Ontario Realty Corp. That ties into the kind of ill-conceived motion that was brought before the House this morning by the member for Huron, when he's saying the federal government has decided to put up for sale some 5,000 acres in the airport lands that were acquired in Durham and why aren't they placed in a special preserve; why can't they be made into parklands or retained indefinitely for agricultural use? The fact is, he's asking for one thing but certainly not doing the same thing when he's dealing with the Ontario Land Corp.

So there are tremendous inconsistencies that are going on with what the government keeps asking for and what it's going to be asking these crown corporations to be doing. I will complete my remarks for the present time and look forward to being able to complete them at a later time.

**The Speaker:** I thank the honourable member for Markham. Indeed, he will have the opportunity, when next this bill is brought to the floor of the House, to continue his remarks. Does the government House leader have the business statement for next week?

BUSINESS OF THE HOUSE

**Hon Brian A. Charlton (Government House Leader):** Yes, Mr Speaker, I do.

Pursuant to standing order 55, I would like to indicate the business of the House for the week of October 18.

On Monday, October 18, and Tuesday, October 19, we will give committee of the whole consideration to

Bill 8, the Ontario Casino Corporation Act.

On Wednesday, October 20, we will begin second reading debate on Bill 47, photo radar.

On Thursday, October 21, during the time reserved for private members' public business, we will consider ballot item 29, a resolution standing in the name of Mr Miclash, and second reading of Bill 85, standing in the

name of Mr Jackson. On Thursday afternoon, we will continue second reading consideration of Bill 47, photo radar.

**The Speaker (Hon David Warner):** It being 6 of the clock, this House stands adjourned until 1:30 of the clock Monday next.

The House adjourned at 1801.











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## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Monday 18 October 1993

# Journal des débats (Hansard)

Lundi 18 octobre 1993



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
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Monday 18 October 1993

The House met at 1332.

Prayers.

#### MEMBERS' STATEMENTS

##### RUN FOR THE CURE

**Ms Dianne Poole (Eglinton):** Next Sunday, October 24, the Canadian Breast Cancer Foundation will be holding its second annual fund-raising event called Run for the Cure. Run for the Cure is designed as a positive and energetic way for people to show support of breast cancer awareness and research programs.

In 1960, one out of 20 women was diagnosed with breast cancer; now one out of 10 women is afflicted with this disease. Breast cancer is the leading cancer killer of women between the ages of 35 and 54. By creating an increased awareness about self-examination and through effective education, women will be able to fight back. We all know someone touched by this disease.

This run is about awareness. Run for the Cure is a positive way of bringing breast cancer awareness to the public's attention. Last year, at the inaugural run, 300 participants were expected. On the day of the run, more than 2,000 people ran and walked through High Park and over \$60,000 was raised. This tremendous achievement clearly reveals the concern about breast cancer, reaching beyond a woman's issue to touch the entire family.

This Sunday, I will be participating in the run, along with 4,000 other well-wishers. The start line is in front of the Royal Ontario Museum and will proceed down University Avenue. I encourage all my colleagues in this Legislature to make time to attend Run for the Cure and contribute to this very worthwhile cause.

##### SHORELINE MANAGEMENT PLAN

**Mr Leo Jordan (Lanark-Renfrew):** I direct this statement to the Minister of Natural Resources. Minister, 400 property owners along the shoreline of Lake Huron, between Goderich and Camp Ipperwash, believe this government is prepared to impose draconian planning regulations.

The organization representing these property owners, the Lake Huron Preservation Association, is opposed to the minister's dealings with Ausable-Bayfield Conservation Authority's shoreline management plan. They are opposed on the grounds that this plan is placing too much power in the hands of the conservation authority.

If this plan is implemented, the conservation authority can overrule the municipality and prevent people from winterizing their home, building a storage shed or enclosing their porch. If the minister approves this plan, he will take planning authority away from the municipality and grant it to the conservation authority. At the

same time, the minister will be creating another level of government where there is already much overlap and duplication.

The property owners believe that their views have been ignored and their rights have been threatened. I urge the minister to ensure that property owners play a role in this process, and I further assert that the conservation authority's plan should be used by the municipality as a frame of reference, not as a new set of regulations.

##### TAMMY McLEOD

**Mrs Irene Mathyssen (Middlesex):** On Thanksgiving weekend there was a very special fund-raising event in Strathroy, in the riding of Middlesex, for Tammy McLeod. Tammy is one of only seven Canadians going to the European Open for challenged athletes. She is an Ontario champion in bocce ball, and on November 20 she and her mother Brenda leave for Belgium.

In response to the need to raise \$4,000 to cover expenses for this trip, the entire community of Strathroy gathered at Roy's Coffee Shop on Caradoc Street on Thanksgiving Day. Margaret and Roy, the proprietors, along with their restaurant staff, volunteered their restaurant, their services and their time to serve hot dogs, pop, coffee and carrot cake to the supportive people of Strathroy. In addition to the hot dog meals were door prizes and food supplies donated by Strathroy businesses and assistance from the Strathroy Lions, the Kiwanis Club and the Legion.

Tammy's father, Joel McLeod, and brother Chad were also at Roy's restaurant with Tammy and Brenda to help with the hundreds of customers and to show their important and caring support for Tammy.

We in Middlesex are proud of our young people like Chad and Tammy. I would like to acknowledge the courage of the McLeod family and the deep and sincere caring of the Strathroy community for a young woman who has made and will continue to make us proud.

##### WEEK OF THE CHILD

**Mr Charles Beer (York North):** This is the Week of the Child. The motto of the annual campaign is "Cherish the Children."

In 1990, the Ontario Advisory Committee on Children's Services submitted a moving and well-thought-out report entitled Children First. In its report, the committee set out a vision which expresses clearly the commitment we must make to our children:

"We envision an Ontario in which children are valued as society's most important trust. In this society, upholding and safeguarding children's basic entitlements—the opportunity to develop, support for growth

and protection from harm—are understood not only as a responsibility but as a privilege recognized and shared by all men and women.

“We see the care of children as a partnership in which parents are supported in their efforts to raise children by others whose lives touch children. All members of the community promote the healthy development of children and respond to children in difficulties. Consequently, formal systems and informal care givers join together to create an accessible, integrated, and flexible network of services for children.

“We envision an Ontario in which all people foster the wellbeing and entitlements of children.”

It is ironic that we have not had any comprehensive and integrated strategy from this government to deal with children's services. Today I call upon the government to act. Government must become, in the words of the report, “the leading partner in creating a public agenda for children.”

A good place for this government to begin would be to withdraw its proposal to implement user fees for children's services as of November 1. I call upon the Minister of Community and Social Services to say yes to children and no to user fees.

#### USE OF LOTTERY FUNDS

**Mr Ted Arnott (Wellington):** Members of this Legislature are familiar with the Ontario Lottery Corp's TV ads, which encourage people to buy lottery tickets because “good things happen” with Ontario lottery proceeds.

Perhaps good things happen to the television stations and the marketing firms that win the contracts for the ads, but what happened to the original mandate of the Ontario Lottery Corp to use the proceeds from lotteries to provide assistance to sports and recreation?

The erosion of lottery funding to sports and recreation has been dramatic. The previous Liberal government brought in legislation which took funds away from sports and recreation in order to fund other government projects and priorities. Funding to sports and recreation for fiscal year 1992-93 stands at a meagre 8% of total lottery profits.

Amateur hockey teams that won their respective regional championships used to be eligible for financial assistance amounting to 45% of their travel and accommodation costs when attending an Ontario championship final. It is my understanding that these teams are now entitled to only 8% assistance. There is also a possibility that funding in this area will be totally eliminated by 1994.

Grants to assist with the hosting of Ontario hockey championships have also been greatly reduced. Hockey championships scheduled for April might have to be cancelled due to a team's inability, on short notice, to cover the travelling costs. Groups like the Ontario

Municipal Recreation Association and the Hockey Development Centre for Ontario are understandably worried about the future of sports and recreation activities in Ontario.

While the Ontario Lottery Corp is plugging its Pro Line sports lotto, it is ironic that hardly any of the proceeds from lotteries are finding their way to sports or recreation. It's time that the Minister of Culture, Tourism and Recreation review the meagre resources being allocated to sports and recreation and take appropriate positive action to restore funding to appropriate levels.

1340

#### BANKING SERVICES

**Mr Kimble Sutherland (Oxford):** I want to congratulate the residents of the village of Princeton in my riding of Oxford for their diligence and perseverance in securing financial services for their community.

Village residents have enjoyed banking services on a full- or part-time basis for almost a century, but a year ago the Canadian Imperial Bank of Commerce announced that it was closing the village's only bank because of the low volume of business.

The bank's closing sparked the community into action. Residents formed the four-member Princeton banking committee to work out a compromise with the CIBC. After 10 months without a financial institution in the village, Princeton residents now have a bank machine.

Princeton's successful lobbying resulted in a unique solution. It is one of the smallest non-vacation centres to have a banking machine, and this is the first bank machine in Canada to be installed in a Canada Post outlet.

The location is an excellent choice. It is located across the road from the seniors' home. Residents can pick up their mail and do their banking at one site. This was accomplished because the citizens' committee, banking representatives and postal officials were willing to work out the best solution for everyone involved.

The residents' committee agreed to pay for the renovations to the inside of the post office for the bank machine's installation. The CIBC will review the machine's use in a year to determine its viability.

Rural Ontario is an important part of our heritage as well as our future. I want to congratulate Princeton residents for showing us that success of any kind requires hard work, dedication and a willingness to compromise.

#### ANTI-TOBACCO LEGISLATION

**Mr Dalton McGuinty (Ottawa South):** I want to remind the Minister of Health of her government's solemn commitment to introduce the Ontario tobacco act in this House.

The two critical reasons which prompted Minister



Lankin in January of this year to release her discussion paper on proposed legislation and the promise to introduce a bill before summer recess remain as compelling today as they were then. First, over 13,000 Ontarians die each year from smoking-related illnesses; that's five times the number of people who die from traffic accidents, suicide and AIDS combined. Second, each year in Ontario 40,000 children start smoking. Obviously, many of these kids who start fall into the powerful, addictive grip of tobacco and never break free.

In July, Minister Grier in turn promised that she would enact legislation to reduce smoking, particularly among children. The minister promised such legislation would be introduced this fall. The Minister of Finance first spoke of the need to reduce tobacco use in his April 1991 budget; that was two and a half years ago. We recently learned that this government has shelved plans to introduce legislation before Christmas.

It is completely inexcusable for the Minister of Health and for this government to delay legislation which will prevent children from starting to smoke. The chief medical officer of health for Ontario has urged all of us, as legislators, to do what we can to prevent Ontario's children from getting hooked on cigarettes.

On behalf of those children, I demand that the Minister of Health bring in anti-smoking legislation immediately.

#### VITAL SERVICES FOR TENANTS

**Mr David Turnbull (York Mills):** On October 4, I gave notice in this House that I had prepared a private member's bill to enable municipalities throughout Ontario to enact vital services bylaws to bring relief to tenants when landlords fail to provide such services as water, electricity and heat. I also noted at that time that I was prepared to debate this bill during my private member's ballot on November 4.

As members of this provincial Legislature, we're responsible for the entire province and not just the concerns of our own constituents. My bill, which I urged the government to take over, would have afforded all municipalities the ability to pass such bylaws without going to the expense of seeking private legislation.

The Minister of Municipal Affairs refused to take over my provincially focused bill and, further, suggested that North York had no desire for such a bill. However, his ministry requested a copy of my draft bill and, strangely, a week later a government backbencher introduced a bill specific to the city of North York, but otherwise a copy of my draft bill. This bill will be debated as his private member's item on October 28. This bill ignores the needs of tenants in other municipalities.

I'm delighted that this issue will have a full airing on October 28. However, I'm disappointed that the government does not have the conviction to provide leadership

for the province on this issue. Instead of working cooperatively with the opposition, the government once again engages in silly political games. You diminish respect for government.

#### WASTE REDUCTION

**Mr Mike Cooper (Kitchener-Wilmot):** I rise today to inform the members of the Legislature of a reunion which took place in the city of Kitchener on October 6. It was a celebration of the 10th anniversary of city-wide blue box recycling and coincided with Waste Reduction Week.

In a joint venture between an enterprising employee, Nyle Ludolph, and his employer, Laidlaw Waste Systems, the blue box recycling program was founded.

In 1980, a pilot program for household recycling took place in the Kitchener area. Through dedication, commitment and a mutual concern for the environment, Nyle Ludolph, the grandfather of blue boxes, and Laidlaw Waste Systems worked together towards educating and encouraging household waste reduction. By 1983 the blue box recycling program was adopted by the city and blue boxes became a common sight in front of most Kitchener homes.

Waste reduction is an example of individuals, industries and government working together towards a common goal.

Waste Reduction Week was a time to commend our recycling efforts, but also a time to remind us all that recycling is the third R in the 3Rs hierarchy. We still need to concentrate and work towards higher achievement levels in reduction and reusing.

To Nyle Ludolph and Laidlaw Waste Systems, I say how proud you must feel to know that there are now blue boxes in most homes in North America, and what hope you must have for the future. To all the individuals and industries that have worked so hard to make reducing, reusing and recycling a priority, we thank you.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### WOMEN'S HISTORY MONTH

**Hon Marion Boyd (Minister Responsible for Women's Issues):** October is Women's History Month in Canada. I would like to draw the attention of this Legislature to four important anniversaries which occur this month or during this calendar year. These anniversaries are significant with respect to women and women's struggle for equality, but they are worthy of recognition by all Ontarians.

Sixty-four years ago this month, on October 18, 1929, women were declared persons under the British North America Act, the Constitution by which Canadians were then governed. Prior to that date, women, people with disabilities and criminals were excluded from the rights and privileges enjoyed by able-bodied men. Legally, we were not even considered to be persons.

The arduous struggle for women's legal personhood lasted 13 years and spanned two continents. Initial battles were waged in the supreme courts of Alberta and of Canada, but the final decision was sought from the Privy Council in London, England, the highest court in the British Empire.

Judge Emily Murphy of Alberta, the first woman police magistrate in Canada, championed the cause singlehandedly for several years. Then she happened on a section of the British North America Act stating that "any five interested persons" had the right to petition the government for a ruling on a constitutional point.

So Judge Murphy found four committed allies—Henrietta Edwards, Louise McKinney, Nellie McClung and Irene Parlby—and together they took the case to the court of highest appeal, where finally women were declared to be persons.

The persons case represented a significant step in women's continuing quest for equality. On behalf of all Ontarians, I would like to acknowledge Judge Murphy and all of the famous five women who made many of our subsequent steps possible.

1350

This December marks the 50th anniversary of the election of Agnes Macphail, the first woman member of this Ontario Legislature. Ms MacPhail was a former teacher, born and raised in Grey county, who distinguished herself in 1921 by becoming the first woman elected to the federal House of Commons.

It was not until 1943 that a provincial riding had a woman representative, when Ms Macphail won a seat in the Ontario Legislature. She was elected as the Co-operative Commonwealth Federation candidate representing the riding of York East.

Agnes Macphail served as a member of Parliament for 19 years and as a member of provincial Parliament for several more. She fought for policies that helped advance rights for women, pensions for seniors, workers' rights and prison reform. She founded the Elizabeth Fry Society and travelled to Geneva as a delegate to the League of Nations, where she was an active member of the world disarmament committee.

We cannot underestimate how difficult her political life was or how much inner strength it required. She once commented: "Being the only woman in the House of Commons was sometimes almost more than I could bear. Had I known how bad it was going to be, I wouldn't have gone through with it. But once in, I wouldn't give up."

That fighting spirit is a source of inspiration to women and men today working for the causes of social equity and justice.

As most of us in this House are aware, my colleague Gary Malkowski has introduced a private member's bill to proclaim March 24 Agnes Macphail Day in honour

of the birth of this great Canadian feminist.

Also, this year, the Ontario Advisory Council on Women's Issues is celebrating its 20th anniversary. With us today in the Speaker's gallery is Laura Sabia, the first president of the council. I would also like to recognize two past presidents, Lynne Gordon and Sam Ion, and the current president, Jacqueline Pelltier, all of whom are here today in the member's gallery.

The council, originally referred to as the Ontario Status of Women Council, was formed as an independent arm's-length organization commenting on the government's direction and policies. It has direct access to the government through the minister responsible for women's issues. The advisory council has been instrumental in pushing the government forward on such issues as family law reform, particularly with respect to property, gender bias in school textbooks, pay equity and affordable child care.

The council has marked its 20th anniversary with a new membership and a new mandate. This mandate grew out of a series of consultations held in 1991 which asked women across the province how to improve communication between themselves and the provincial government.

The new council is the first to have been selected through nominations by the public. Its membership better reflects the diversity of Ontario's population and the interests of its regions than past councils have. This is in part because of the selection through nomination process. Perhaps more so now than ever, the council's activities are firmly rooted in the community.

The evolution of the council reflects its continuing effort to serve as effectively as possible as the voice of Ontario's women.

Another anniversary we celebrate this year is the 10th anniversary of the Ontario women's directorate. The directorate was founded in 1983, simultaneously with the appointment of the first minister responsible for women's issues. Both these events, incidentally, were the direct result of persistent lobbying by the advisory council. The women's directorate has many accomplishments of which to be proud, perhaps most notably the drafting of the pay equity legislation which subsequently became law.

But the continuing hard work of this organization and its staff does not often garner the recognition it deserves. The directorate, on a day-to-day basis, assesses the impact on women of proposed legislation and government initiatives. It educates Ontarians about violence against women. It provides consultative services to the private and public sectors about workplace and education equity issues. In short, the directorate strives to promote the social, legal and economic equality of women in this province.

I would personally like to congratulate the Ontario women's directorate on its 10th anniversary and to



thank its staff for the strong support they have given me as minister responsible for women's issues.

As I conclude these remarks, I would like to say that while the anniversaries I've mentioned today are significant to the history of women in this province, they do not necessarily speak to all women. The further back we look in the history of women's accomplishments, the more likely are the women we remember to be white, privileged, able-bodied women. This, unfortunately, can be seen as excluding a significant portion of Ontario's women.

The history book of the participation in public life of women of colour, aboriginal women and women with disabilities has yet to be written. It was only three short years ago that my colleague and friend Zanana Akande became the first black woman and the first woman of colour elected to this Legislature. We have yet to see an aboriginal woman—or man—in this Legislature, and a woman of disability has yet to represent a riding in this House.

For women who are not white and able-bodied, the opportunities are few and the barriers to acceptance are very high.

I hope that by the time we are commemorating the 100th anniversary of the persons case or the 75th anniversary of Agnes Macphail's election, we have other anniversaries to celebrate, anniversaries that mark the fuller participation of women who are currently underrepresented in this Legislature and in other areas of public life.

I hope this happens long before those anniversaries.

**Ms Dianne Poole (Eglinton):** I am delighted to rise on behalf of the Liberal caucus and celebrate October as Women's History Month. In fact, I know the member for St Catharines would never forgive me if I didn't point out that Laura Sabia came from St Catharines, and I know the member for St Catharines wishes that he had the opportunity to stand up and thank her for all her fine work in this province.

Women's History Month gives us a unique opportunity to take a look at history from a perspective often ignored or simply omitted from the history books, because traditionally the chroniclers of our past have been male and they've preferred to concentrate on battles and the men who fought them, or on male pioneers and the challenges they faced. But we have had a much richer history than just battles and wars, and it's a history that includes personal sacrifice and heroic acts performed by women, as well as men.

The minister mentioned one pioneer woman who led the way, Agnes Macphail; another is Nellie McClung; another, perhaps a little more recently, is Maggie Campbell. In fact, I don't know if very many of the people in this Legislature know that Maggie Campbell once worked undercover for the Mounties during the Second World War and was responsible for capturing

two German spies. So we do have a lot to celebrate as far as women's history and what they've contributed is concerned, not only in politics but also in other endeavours: social reform, sports, law, literature, the arts, business.

We should be celebrating Roberta Bondar, Silken Laumann, Nancy Greene, Barbara Ann Scott, Jeanne Sauvé, Pauline McGibbon, Karen Kain, Emily Carr, Margaret Atwood, Margaret Laurence, Shirley Carr, Sonja Bata, Barbara Frum, Justice Bertha Wilson, just to name a few. Those are ones I was just thinking of today, and there are many more who have contributed.

One of the important anniversaries the minister raised was that of Persons Day. I think it's hard for us to really comprehend in this Legislature that in 1929 women were not considered persons until that fateful day of October 18 and a decision by the Privy Council in Britain. We take for granted the fact that we, as women, can not only vote but that we have property rights, that we can stand and represent our constituents and people throughout this province and throughout this country. We take for granted many of the things the pioneers fought for in the women's movement, so it is good to be able to celebrate that today.

The minister also mentioned several other anniversaries, one of the advisory council and also the Ontario women's directorate. I congratulate them both on their respective anniversaries, but I would like to say that I have expectations in the coming years that they will do more. Both of these particular groups are empowered to advocate on behalf of women across this province, but I've seen too many instances in the last couple of years where there has been a silence as far as advocating on behalf of women publicly is concerned. Maybe things happen behind closed doors, but we didn't see them here. We saw an invisibility as far as someone from the government and someone as a body outside the government advocating on behalf of women were concerned.

**1400**

I would like to ask, where were they when the employment equity internship program was dropped by the current government? Where were they when John Piper victimized the victims with a smear campaign? Where were they on the Carlton Masters harassment case? In that case, they did not break the silence.

Where were they when we introduced a motion on slasher films, which was passed unanimously in this House? Where were they to push and say, "Yes, there is something we can do provincially and we should do it now"? Where were they over the controversy on serial killer trading cards, to push again, "We have a provincial responsibility and something we can do provincially"?

Where were they when the government proposed to slash fees for new family doctors, paediatricians and psychiatrists, all practices where women predominate

and practices where women were negatively impacted by the proposal of the government? Where were they when child care workers' salaries were not going to be exempt from the social contract?

This is a very positive time for women and what we have accomplished, but there is a need for advocacy. I would urge these two groups in the next coming days to take this empowerment in their hands and truly advocate for the women of this province.

**Mrs Elizabeth Witmer (Waterloo North):** It's a pleasure to join in the celebration of Women's History Month. I'd like to recognize in particular Laura Sabia. Laura probably is not aware of the fact, but about 10 years ago she came to Kitchener and spoke to a men's group who had invited their wives that night. I know she really shook the men, and she had quite an impact on me personally. I've always been an admirer of Laura Sabia and the very significant role that she has played in this province. Thank you very much, Laura.

I'm pleased with the progress that we have made in this province and in this country. However, I think it's absolutely essential that women continue to represent more and more of the ridings in this province. It's absolutely essential that we have equal or more equal representation in this House in order to ensure that the concerns of all of the people in this province are better represented, and that's why we need more equal representation. It's unfortunate that the federal election indicates to us today that we are going to perhaps see fewer women elected than we have at the present time. That certainly does not speak well for people and their representation in this country.

However, I do believe that although we have made tremendous strides, it is time to move on. It is time to move on and not look at women as victims. It is time to move on and ensure that there is equal treatment for all people regardless of their sex or their gender. I believe very strongly, as my colleague from the opposition has already said, that there needs to be a greater role on behalf of the women's directorate.

I would concur with her that that particular body has been silent on the issues of concern to women in this province. I believe in many ways they have lost touch. There are issues they're concerned with such as abortion and such as lesbianism, but there are other issues in this province that touch the lives of all women that are being totally neglected. They are not reflecting the concerns, the goals and the ambitions of women today.

The one I want to focus on in particular is in the area of health issues. I have very real concerns that this government has been totally silent as to how women are being treated by our health care system. Today women are starting to question why medicine treats them the way it does. They look at cardiology and they look at cancer treatment and they wonder why their needs have not been met.

We also know that gender is a factor in patient access to kidney dialysis, transplantation, diagnosis of lung cancer and coronary catheterization. We know that we have in this province a waiting list for breast cancer radiation treatment. It's overflowing. Women are being forced to travel north for therapy or to wait for service in their home towns.

I wrote the minister this year, in February, regarding my various serious concerns about the need for immediate action by the provincial government to address the lack of adequate breast cancer prevention and treatment programs and facilities and the inadequacy of our health care system's response to breast cancer.

I want to tell you, because there is no treatment available, it is placing a severe emotional burden on those women who are being taken away from their friends and their families during a very difficult time in their lives. I've indicated that this is completely unacceptable, yet what is the women's directorate doing about this issue? What is the minister doing about this issue? I have seen very little or no action on this issue whatsoever.

I could move on to other health issues which I simply do not feel are being adequately addressed, for example, women and cardiovascular care, detoxification services for women and female teenagers and sex diseases. These are some of the issues we need to be addressing.

If we look at the area of child care and home care, we look at the fact that the government is now indicating it's going to remove the private sector from those areas. That is having a very negative impact because it's the women who have often operated these private businesses, they are the prime providers, and this government is driving those women out of business.

It's time that we get our act together and deal with the issues of concern to all women in this province.

VISITOR

**Hon Ed Philip (Minister of Municipal Affairs):** On a point of order, Mr Speaker: May I welcome, in the members' gallery east, the new chair of the Ontario Municipal Board, Helen Cooper. Helen has been, of course, the president of AMO in the past and mayor of Kingston, and I know we all wish her well. I'm sure she's going to do a great job for all the citizens of Ontario in her new post.

**The Speaker (Hon David Warner):** The honourable member does not have a point of order, but indeed the guest is most welcome. It is now time for oral questions and the honourable Leader of the Opposition.

ORAL QUESTIONS

POLICE SAFETY

**Mrs Lyn McLeod (Leader of the Opposition):** My first question is for the Solicitor General. We have had two solicitors general in the province of Ontario over the course of the past year. Both solicitors general have



promised to review the kinds of firearms that are used by police in this province.

Last week the Solicitor General again said that a decision on the kind of firearms that would be available to our police officers to use would not be made until the end of this year. Now we hear that a Ministry of Labour investigation into the safety of existing service revolvers has found that the guns have a danger of misfiring, firing accidentally, and that they're difficult to reload.

I ask if you will indicate how quickly you will now act to comply with the directive of the Ministry of Labour to ensure that our police officers are provided with safe firearms.

**Hon David Christopherson (Solicitor General):** I'm pleased to answer the question of the honourable member. The report came down last week and talks to the issue that is of course important to all members of this House, that is, of community safety and that of police officers, in this case the health and safety of police officers as workers in the conduct of their service to the people of Ontario.

I have spoken with the leadership of the police community, particularly the president of the Ontario Provincial Police Association, as well as having indicated publicly that we will move on a decision of whether or not to appeal, which is of course, as the honourable member knows, the first thing that needs to be determined as quickly as possible. The process provides for up to 14 days. We will make a decision within that time, and in fact I am attempting to make that decision as soon as possible.

1410

**Mrs McLeod:** Minister, you're absolutely right. There is a real and growing concern. It's a concern on the part of police officers and it's a concern on the part of the public about whether our police officers have the tools that they need to do their jobs. Now there's a concern that the tools they do have are a threat to the very safety of the officers themselves.

I would suggest to you that if the Ministry of Labour had written this kind of report on any other kind of occupational hazard, your government would have shut down the work site. I find it absolutely appalling that this review began two years ago, that it took two years to complete and that you are still talking about process and further review. I find it absolutely appalling that in a review which was a government review that went on for two years, you cannot tell us in the House today exactly what you are prepared to do to ensure the safety of our police officers.

I ask you, Minister, will you tell us today exactly what you are prepared to do to ensure the safety of the police officers of this province?

**Hon Mr Christopherson:** I have said exactly what we will do, and that is to make a determination, which

we are obliged to do, as quickly as possible, given the importance of this issue to police officers and indeed to communities across Ontario.

I have spoken, as I say, to the leadership of the Ontario Provincial Police Association. I cannot speak to the process of the Ministry of Labour review, because that's under the auspices of another minister and another ministry. However, my obligation in this regard is to respond as quickly as possible on behalf of the government, and the honourable member has my undertaking that we will be doing just that.

**Mrs McLeod:** I wonder if the minister does not find it somewhat ironical—it is certainly a source of dismay for us—that it took an appeal to the Ministry of Labour to have the situation of the safety of police officers reviewed. I would wonder why neither this Solicitor General nor his predecessor felt that was an issue which the Solicitor General himself should have undertaken to deal with.

But I would suggest to the Solicitor General that now there is a review that very clearly indicates that our police officers do not have safe weapons at their disposal and that their own safety is at risk, you must now deal with this situation. Before you can deal with the question of the safety of the guns that police officers have, you must decide what kinds of weapons our police officers should have.

You have said that you will not make that decision until the end of the year. You've not, in your answer today, given us a time frame; you've said you will act as quickly as possible. The end of the year is three months away, and three months is much too long when the safety of our police officers is at risk.

I ask you, Minister, for the sake of the safety of our police, will you not make and act on those decisions immediately?

**Hon Mr Christopherson:** I believe the honourable member is correct when she talks about the importance this government places on the issue as a worker health and safety issue. I would remind the honourable member that this has been reviewed in the past in this province.

If it were as simple and straightforward as she likes to indicate, I'm sure that her government would have made the change when it introduced the act, which was just a few years ago. The fact of the matter is that this is a very complex issue. There are many jurisdictions all across North America grappling with this same issue and making determinations on what types of firearms and handguns should be provided for police officers.

In the line of protecting the people of Ontario, this government and this minister have made it a priority. I have indicated, prior to the release of that report, that by the end of the year we will make our position known. On the report itself, I have said that there are 14 days for both the employer and the employee group to

respond as to whether or not there will be an appeal. I am committing once again that this government will move very quickly to make a determination on whether or not there will be such an appeal, and if not, then move into discussions of developing a compliance plan.

**The Speaker (Hon David Warner):** New question.

**Mrs McLeod:** No previous government had a report from the Ministry of Labour saying that police officers' weapons were unsafe for use. It deserves a more immediate response than this minister has given.

My second question is to the Minister of Health.

*Interjections.*

**The Speaker:** Order. The member for Chatham Kent, please come to order. Second question, please.

#### CANCER TREATMENT

**Mrs Lyn McLeod (Leader of the Opposition):** My second question is for the Minister of Health. I think it's fair to say that there are very few people in the province of Ontario who have not in some way been touched by the shock, by the horror of a family member or a close friend who has suffered from cancer.

All of us take pride when we talk about our health care system being the best in the world. All of us I think assume that when we talk about our health care system being the best in the world, it means that if one of our family members or one of our friends becomes ill with cancer, they're going to be able to get the care they need. The recent media reports and the recent cases that have come to light have caused many people to doubt this.

Last week, Minister, we called on you to ensure that medically necessary care would be available to the people of this province. You said it would be done. Last week we were raising the issues of emergency ambulance service, of bone marrow transplants, of kidney dialysis. This week we're raising concerns about patients requiring cancer treatment. I ask today once again, what are you doing to ensure that patients are not left waiting for cancer treatment when it is absolutely critical that they have immediate care?

**Hon Ruth Grier (Minister of Health):** I'm glad to have an opportunity to respond to that question, because I think all of us read with dismay the stories in the papers over the weekend, and I agree entirely with the Leader of the Opposition. I don't think there's a woman in this province who hasn't thought about what her situation would be if she were diagnosed as having breast cancer, and more and more men in this province are also worrying about the effects of cancer.

It is not a new problem. As I'm sure the Leader of the Opposition will recall, the report that was presented to the previous government in 1985 called for planning and recognized that there were going to be enormous needs over the next decade. A great deal has happened since that report was presented. I commend the previous

government, and we have continued to make that a priority.

Let me say to the Leader of the Opposition that the problem arises from a number of causes, one being the much more increasing incidence of cancer than I think we had even 10 or 20 years ago believed would happen. Secondly, there is an increased demand for radiation therapy which in part flows from changing protocols of practice, practice which is better for the patient because you don't have a radical mastectomy but which does mean there is a demand for radiation that was not there before.

In response, we need to have machines and we need to have personnel. As to the number of machines, money has not been an issue with respect to trying to deal with this problem since 1985. There have been 18 additional radiotherapy machines in operation since 1985, and there will be another 13 in place by 1997 and 1998.

It's the recruitment of radiation therapists and radiation oncologists—

**The Speaker (Hon David Warner):** Could the minister conclude her response, please.

**Hon Mrs Grier:** —which worldwide is causing a problem and which we are trying to work with the academic health science centres and with the profession to resolve as quickly as possible.

**Mrs McLeod:** Minister, there is a problem with the lack of trained personnel to deliver the care that's needed. But when the minister says in her response that it's not a matter of money, it's not a matter of financial resources, I think she would get an argument from the hospitals that are struggling within their budgets to be able to hire the trained personnel that are available, and that are not able to hire those people.

The minister is absolutely right. The report that was done under a previous government recognized the need for strategic planning.

I was extremely concerned to read the minister's responses in the media this past weekend that suggested that hospitals once again were going to have to find a way of managing to provide these services within their global budget, that they were going to have to do things differently. The minister today has acknowledged that hospitals cannot do this alone, that this is a problem that is difficult to resolve. We acknowledge that; we agree. It's a problem which cuts across the hospital providers, it cuts across the medical faculties, and it certainly involves the Ministry of Health in the government of Ontario.

Minister, we ask you whether you will show some leadership, whether you will bring together all the players involved, whether you will find a way to fix this problem.

**Hon Mrs Grier:** Let me assure the Leader of the



Opposition that this is a problem that we believe must be fixed and one to which we give an extremely high priority. I have over the last three or four weeks had a number of round tables in various parts of the province, as has my minister without portfolio, with all of the players in the system to try to plan for the future, and just last Friday met with representatives of the Princess Margaret Hospital and the Ontario Cancer Treatment and Research Foundation.

But let me say to her that while of course money enters into the solution, we first of all have to have the professionals who will operate the machines. The machines have been approved, regardless of the constraint.

We currently spend \$1 billion on cancer in this province. We still have difficulties. The budget of OCTRF has grown from \$65 million in 1985 to \$132 million in 1993. Despite additional funding, we have not got the professionals that we need in the system.

Let me say to the member that the Princess Margaret, just last Friday, has submitted to us a proposal that it will have graduate radiation therapists at the end of this month. They would like to be able to hire those therapists, which would enable them to run their machines for a longer period. I have agreed to look at that and see how we can find a way to help them to do that.

1420

**The Speaker:** Could the minister conclude her response, please.

**Hon Mrs Grier:** I should also say to the member and tell the House that over a month ago I authorized the exploration of trying to find foreign-trained graduates in radiation oncology. Our agreement with the Ontario Medical Association—

**The Speaker:** Could the minister please conclude her response.

**Hon Mrs Grier:** —which is designed to prevent people who have not had Ontario training from practising in Ontario, provides the opportunity for exemptions. I have used that exemption clause in order to deal with this problem. That's the kind of leadership we're taking.

**Mrs McLeod:** Surely after all the times we've raised this issue in the House, the minister is beginning to understand that one of the reasons we have a shortage of health care professionals in the province of Ontario is that health care professionals are leaving this province because of the ad hoc, crisis kinds of decisions this minister is making about how we provide health care in the province of Ontario. I say to this minister that we are facing, as a result—

*Interjections.*

**The Speaker:** Order. The Leader of the Opposition with her final supplementary.

**Mrs McLeod:** Anyone who has been Minister of Health understands the challenges of using our very

scarce resources to ensure that we can in fact provide the quality of medical care that the people of the province deserve. I say to this minister in all sincerity, it is the lack of planning, it is the ad hoc, crisis kind of decision-making which has made it impossible for us to ensure that we can have that health care provide the services people need.

We are facing crisis after crisis in our health care system, and we have raised every one of those issues time and time again. Time and time again, this minister has simply said: "The hospitals are going to have to find those dollars within their global budgets. The hospitals are going to have to do things differently." The hospitals are trying to cope, and you keep taking more and more of their resources away without giving them any help to carry out the planning that will allow them to give the services that are needed.

Minister, I ask you, when are you really going to accept the responsibility to sit down and to do that strategic planning? When will you take that leadership to deal with what is truly a health care crisis? Minister, when will you even acknowledge that there is indeed a crisis in our health care system?

**Hon Mrs Grier:** Let me say to the Leader of the Opposition that it takes four years to train a radiation oncologist. I don't think this is the kind of situation in the province that is deserving, quite frankly, of the kind of partisan approach she is taking. I acknowledged in my response that in fact the report that was received by the previous government in 1985 laid the basis for beginning to do some planning—

**Mrs Barbara Sullivan (Halton Centre):** How many new graduates are leaving the country right now? How many new oncology students are going to the States? The entire graduating class.

**The Speaker:** The member for Halton Centre is out of order.

**Hon Mrs Grier:** —and to begin to bring together all the institutions in this province that deal with cancer. That was begun under the previous government and has been continued very fruitfully under this government.

We still face a shortage in professionals, and particularly in radiation oncologists. I hope she will recognize that in my response to her second question, I told her that we had gone beyond our agreement with the Ontario Medical Association to seek people beyond the borders of this country to try to deal with that problem. If that is not acknowledging the problem and attempting to practically deal with it, I don't know what is.

#### HEALTH CARDS

**Mr Jim Wilson (Simcoe West):** My question is for the Minister of Health. On countless occasions, I have risen in this Legislature to make you aware of the serious flaws in the health card system as brought in by the Liberals and mismanaged by your government.

When I first raised the issue with your predecessor last October, it was revealed that—

**Mr James J. Bradley (St Catharines):** Looks like we need another health question. I will have it tomorrow.

**Mr Murray J. Elston (Bruce):** Leave us alone; we are winning.

**The Speaker (Hon David Warner):** Order.

**Mr Jim Wilson:** I obviously hit a nerve with the Liberal caucus. Last October, it was revealed that close to 12 million health cards had been issued by OHIP for a population of approximately 10.5 million residents in this province. By last February, it was revealed that the number of health cards issued had risen—

**Mr Tim Murphy (St George-St David):** How many residents were there when you had 26 million cards?

**The Speaker:** Order, the member for St George-St David.

**Mr Jim Wilson:** —to 12.3 million. Minister, could you tell this House today exactly how many health cards have been issued to people in Ontario since the new system was introduced by the Liberal government in 1990?

**Hon Ruth Grier (Minister of Health):** No, I'm sorry, I don't have that figure at my fingertips, but I would certainly undertake to get it and inform the member as soon as I can.

**Mr Jim Wilson:** When you get the number, I think after today you'll realize I have a couple of more numbers to add to the staggering number of health cards that your government has issued.

Last July, a woman from Oakville had her purse stolen while shopping for groceries. She contacted a Ministry of Health office to get a replacement health card. On September 13, the OHIP office in Kingston sent her a replacement card with a version code initialled PN. Unfortunately for taxpayers and for Mrs Poole, two weeks later OHIP sent her another health card with a different version code initialled ER. I hold in my hand both cards sent to Mrs Poole. Not only is she startled about receiving two health cards, but she is understandably confused about which card she's supposed to be using. Can you tell Mrs Poole why she received two health cards and which health card she is supposed to be using?

**Hon Mrs Grier:** I'm afraid I can't tell Mrs Poole, but I certainly want to find out the answer for myself. I will undertake to find out that answer just as soon as I can and to tell the member, Mrs Poole and the House how that could have happened.

**Mr Jim Wilson:** All taxpayers in Ontario are fortunate that Mrs Poole was honest enough to report just one more in what has been a steady stream of mistakes that have flowed from the Liberal and NDP mismanagement of the health card system. What has

become abundantly clear in the last year is that your government has no idea who is receiving health cards, how many cards each individual is receiving and how many dollars are being stolen from the taxpayers of Ontario because of your mismanagement of the system.

Lives are being threatened by dangerously long waiting lists for cancer treatment, yet you seem unwilling to manage or to be incapable of managing Ontario's health card system. How can you slam the door shut on cancer patients when you continue to allow millions of dollars to be stolen from our health care system?

**Hon Mrs Grier:** I hope I didn't in any way minimize the importance of the honourable member's question. I thank him for bringing it to our attention. I am as disturbed by it as I know he is and I certainly want to have an investigation and find out how it could have happened.

But I have to say to him, as he continually uses the phrase "mismanagement of the system," that the flaws were in the system as it was established in the first place. It is trying to address the system and the systemic problems that we have been engaged in with our establishment of the registration division, the audit of the entire system and our commitment to bring in a system that is far more efficient, far more secure and would not allow this particular situation to have occurred. That's my undertaking and commitment, and it's one I intend to follow through on.

1430

#### PAROLE SYSTEM

**Mr Robert W. Runciman (Leeds-Grenville):** I have a question for the Solicitor General. At the outset, I want to say that members of the Conservative caucus are wearing black ribbons made by spouses of members of the Sudbury police force in memory of Joe MacDonald—

*Interjections.*

**Mr Runciman:** The Liberal Party as well; I'll give them credit if they are. It's also to mourn the lack of government support for policing in this province.

Last week, when I questioned the Solicitor General about the decision of the Ontario Board of Parole to release one Clinton Suzack, the minister indicated that he has established a review to take a look at the circumstances surrounding the board's decision. Of course, we know that one of the two charged with the murder of Constable MacDonald is Mr Suzack.

The minister has failed to this point to indicate terms of reference or time lines with regard to this review. We know the board annually grants in the neighbourhood of 4,000 paroles. I want to ask the minister, given what he knows in terms of the details that have been made public to this point, is he confident that the process is working well? Is he not prepared to institute a freeze until he has the answers before him? Clearly, the system



broke down once; it can break down again. Is he prepared to continue indefinitely with a system which may have resulted in the death of one police officer in this province?

**Hon David Christopherson (Solicitor General):** Obviously, all matters pertaining to the issue at hand are very serious and are taken as such by the government and, I know, all members of the House.

I have indicated in this place, as a result of questions raised around the Board of Parole decision, my desire to seek answers to those questions and have said that we would do so through an independent review, independent of my ministry.

The time line is 30 days from the time the review starts. I believe that's a speedy time line in terms of a review that can be rather technical in nature. I have indicated very clearly that I will be looking at the results of that review, and if there are actions to be taken as a result of any findings, I'll be taking them.

**Mr Runciman:** If you look at 4,000 individuals being released on parole annually, that's several hundred a week—no, close to 100 a week. I'm not sure of the figures; I'm doing quick math here, and I've never been good at that. I want to make the point that obviously a significant number of people are going to be considered for parole even in the time line you've indicated today.

What do we know in terms of what's happened? We know that a police officer has been murdered. We know there were outstanding warrants in the province of Alberta in respect of this individual when the decision was made by the parole board. We know that this individual had a record as long as my arm involving many violence-related criminal convictions—not charges, convictions—and a number of convictions involving breach of trust.

Your NDP-appointed parole board chair has said that Suzack's release was nothing unusual. He also said that his record was not serious. Thirty convictions related to assault is not serious, according to the chair you appointed.

Minister, where does your responsibility lie in this matter? Protecting the public or protecting an appointee of your government? I believe it's incumbent upon you, when we're talking about public safety issues, to do everything within your power to ensure that the public is safe in terms of decisions being made by this board, and I don't believe you're doing it.

I'm asking you once again, will you institute a freeze until this study is completed, and will you at least consider a suspension of the chair, if not firing? I believe he should be fired, but you should at least consider a suspension, based on what we know today.

**Hon Mr Christopherson:** First of all, let me say to the honourable member that I believe the actions I have taken to date show very clearly that we consider the

questions at hand to be serious and important; that is, my indication of the short time frame and my expectation to respond to the review's result.

With regard to the chair of the board—

*Interjections.*

**The Speaker (Hon David Warner):** Order, the member for Etobicoke West.

**Hon Mr Christopherson:** As the honourable member continues to raise the fact that it's this government's appointee, which indeed it is, and that we have opened up the process of reviewing appointees to various positions, which was never done before by any other government, it's interesting to note that the committee which is now charged with reviewing appointees' applications did not see fit to review this application. I guess they didn't consider it to be anything out of the ordinary, or that the qualifications weren't appropriate. In fact, I believe the honourable member who asked the question chairs that committee, so I'm not sure why there's now this question of qualifications.

*Interjections.*

**The Speaker:** Order. The member for Etobicoke West is out of order.

**Hon Mr Christopherson:** I'm not sure whether the honourable members from the third party are more interested in headlines or getting at the truth.

**Mr Chris Stockwell (Etobicoke West):** You've got a lot of nerve saying it's our fault. You've got a lot of nerve blaming us.

**The Speaker:** Order. The member for Etobicoke West remains out of order.

**Mr Runciman:** That last comment by the minister was dredging from the bottom of the sleaze barrel. I didn't believe the minister was capable of saying something like that. It's an insult to the intelligence of the members of this House, let alone the public, to suggest that review process is anything more than a sham. And I do not chair that committee, for the minister's information. I did at one point, and I know indeed that it is a sham.

Minister, I want to send over to you, by way of a page, a letter from the Sault Ste Marie Police Service. I want to quote briefly from that letter. It's addressed to probation and parole services, dated April 15, 1993, from Inspector Eric Overman, of the Sault Ste Marie police:

"We strongly oppose early release of Clinton Suzack. He has a propensity to be violent. He is a menace to society. He is a threat to the safety of the public."

They also indicated that they notified the board of the outstanding warrants related to this individual from the province of Alberta.

Minister, you get up today and make a response like

you just did, which is not only an insult to the people of this province but also, in my view, draws into question your competence as the minister responsible for corrections in this province and the Board of Parole of Ontario. Mr Minister, simply look at this. What is your responsibility? I believe it's public safety.

What you're doing is protecting the tail of one of your appointees—

**The Speaker:** Could the member conclude his question, please.

**Mr Runciman:** —above public safety. That's what you're doing. You have a chair saying there's nothing unusual about a guy with a criminal record the length of my arm; not serious, nothing unusual with the release. But a 29-year-old police officer is dead.

**The Speaker:** Would the member place a question.

**Mr Runciman:** Once again, I'm asking the minister, are you prepared to institute an immediate freeze until you have the results of this investigation and take appropriate action following its recommendations, and at least suspend the chair, who's made such irresponsible comments to the public?

**Hon Mr Christopherson:** Let me say with regard to the letter the honourable member has sent over that it is clearly part and parcel of the case that is being reviewed. I have indicated to the member that there will be an independent review. With regard to all the other actions the member would like me to take, I've said last week and I'll say again that I sincerely believe that if this government, on an issue so important as this, in any other area attempted to move as precipitously as the honourable member is suggesting, without some kind of due process, without an opportunity to actually look at the facts at hand as opposed to just making judgements based on what he happens to read in the media, then he would be the first to condemn us for that.

This is an extremely important issue. It's an important issue of safety to the public, and I think this government has acted responsibly. I believe I have done the right thing by instigating a review of this entire matter.

1440

#### MENINGITIS

**Mr Steven W. Mahoney (Mississauga West):** My question is to the Minister of Health. Minister, as you know, we tragically lost two young people recently in what appears to be a case of meningitis in the region of Peel. Three of our schools, Mayfield, Clarkson and Streetsville Secondary are undergoing mass inoculation against this terrible disease. All extracurricular activities have been cancelled until further notice.

Dr Peter Cole at the regional health department, along with his staff, are doing everything they can to try to maintain calm in the region. The concern is that there is an awful lot of confusion regarding the vaccine, the availability, exactly who should be inoculated and

what's going on. Can you tell me what you are doing as the Minister of Health to try to bring a sense of calm, along with Dr Peter Cole and others in the region of Peel, to try to wrest the parents' fears aside in this terrible situation?

**Hon Ruth Grier (Minister of Health):** I can certainly understand the fear and the worry that any parent of a child in the school system has as a result of this outbreak. I was very pleased that the provincial medical officer of health was able to appear at a press conference yesterday, with the medical officer of health from the region of Peel, and indicate that the vaccination program that the member has indicated is happening. I am also very pleased that the Peel boards of education have cancelled extracurricular activities as a way of preventing the spread of the virus from one school to another.

The role of the Ministry of Health is to provide the vaccine, to take the advice of the medical officers of health, and we believe that, working with them, the measures that have been put in place are the appropriate ones.

**Mr Mahoney:** Minister, this is obviously not a partisan issue in any way; I am sure you share the concerns that I and all members in this House would have regarding the situation. But I am concerned about what direction is actually coming from you as the Minister of Health. The medical officer of health has indicated to me and you have admitted that the Ministry of Health through the public health branch releases the vaccine. The region must apply to that branch for the vaccine for its immunization program, and all pharmacies must do likewise. The family doctor can prescribe the vaccine, but apparently the vaccine itself is not covered by OHIP.

We have a situation in Peel where we have a hotline set up for parents to phone and get information on this, if they're able to get through, because you can imagine the phones are burning up. If they're able to get through and they're not part of the three schools who have been identified for inoculation, then they are referred to their family doctor. They go to their family doctor; they're told the vaccine can range anywhere from \$50 to \$170 and that's it's not covered by OHIP. Then they're told that the vaccine is being held back; in fact, that there is a shortage of it.

We need to know exactly what's going on. Is the vaccine readily available? Can it be distributed through the family doctor? Do people require the medical officer of health direction for their children to be inoculated? How widespread can such a problem be? People are very, very frightened in this situation. Minister, with due respect, I would like you personally to take charge of this situation. I would have hoped for a minister's statement on such a crucial matter today in the Legislature, to tell the people, the parents in Peel, that if they



need this vaccine it will indeed be available to them at no cost whatsoever and that they can send their young children—

**The Speaker (Hon David Warner):** Would the member please conclude his question?

**Mr Mahoney:** —to the doctor to have the vaccine administered properly. Will you take charge of this issue personally, Minister?

**Hon Mrs Grier:** The responsibility for taking the lead and taking charge lies with the medical officer of health in the region of Peel. My ministry has the vaccine, supplies the vaccine for the kinds of clinics that the medical officer of health in Peel has indicated he believes need to be put in place.

Our role is to support and to cooperate with the medical officer of health, but I have every confidence that the decisions and the information to the residents are better disseminated by that person who knows the region, knows the players and knows the situation there, with the ministry there in a supportive role and providing the vaccine to the medical officer of health. For the ministry to step in and take over that authority is, I would submit, an inappropriate response at this point.

#### SOCIAL ASSISTANCE

**Mr Cameron Jackson (Burlington South):** My question is to the Minister of Community and Social Services. It concerns the wife of a wealthy Somali warlord who for some reason remains in Ontario at taxpayers' expense.

Last week, in response to a question, you said you were going to simply look at the rule that allowed Ms Gurhan to collect welfare while on a costly trip to her homeland in Somalia last year. Perhaps the public outcry of the last week over this episode, and it's coming into full public view, has convinced you that your flip answer was inappropriate and perhaps should be reviewed, and quite frankly we find it unacceptable.

Minister, you know that you and your cabinet have the power to make immediate regulatory changes to social assistance rules in this province. I challenge you: Would you please stand in your place today and assure this House that you're prepared to take immediate action to change this rule, which is deemed to be so patently wrong, for social assistance recipients in this province?

**Hon Tony Silipo (Minister of Community and Social Services):** Let me first of all say to the member that I'm sorry he found my answers last week to be flip. I thought I was being responsible in protecting, on the one hand, the integrity of the system, and secondly, my responsibility towards the privacy of individuals. I think, as a minister of the crown, that's a responsibility I need to take quite seriously.

Let me just say to the member, as I indicated in the House and outside when this issue was raised last week,

that I am not able to discuss specifics of allegations that deal with individuals, whoever those individuals may be. I would hope that he would understand that.

What I can reiterate for the member is that whenever issues of this kind are raised, either with me directly or with people in the ministry, there is a process that kicks into place that ensures that issues, allegations, are looked after. That's the process we follow. I think we need to leave the issue of comments on individuals completely outside that process.

I would also, I guess, given that he's raised the point, remind the member that it is not the government of Ontario that makes policy about which individuals are allowed to enter or remain in the country. That is a responsibility of the federal government.

**Mr Jackson:** It's clearly your responsibility, Minister, one which apparently, according to your answer, you're not prepared to face nor take immediate action on, to ensure the integrity of taxpayers' dollars to a social assistance system in our province.

Five months ago, on June 9, I raised the issue of 11,000 warrants that were issued for refugee claimants here in the province, of recipients who had gone underground and were collecting welfare. You indicated that you'd undertake a review and you'd report immediately to this House. We have heard nothing from you.

The fact is that it was okay for your government to take immediate action and axe welfare benefits for genuine immigrants in this province, which was reported in the *Toronto Star* on October 6. I'm not asking for the details of this woman's case. I'm asking you to look at the process of possible abuse when someone can travel abroad while she's been collecting welfare in this province and be gone for five months, whether or not she's related to a warlord who's conducting a civil war and shooting at Canadian and American UN soldiers. I'm asking you to look at a loophole in the system of welfare that you are responsible for in this province. You have the regulatory power.

Again I ask you, will you undertake now to examine the rule, not the specific circumstances of this woman's case, but the rule that's allowing the loophole to occur?

**Hon Mr Silipo:** I indicated last week that this is in fact exactly one of the things we are looking at. We are looking at that set of rules, as we are looking at a number of the other rules that exist in the system. So the answer to that is yes now, as it was yes last week.

1450

#### TEACHERS' DISPUTE

**Mr Bob Huget (Sarnia):** My question is for the Minister of Education and Training. You will know that today is day 24 of the strike involving the Lambton County Board of Education and its secondary school teachers. Last Friday, the Education Relations Commission announced that it will be holding a public inquiry

in Sarnia this Thursday, and I am quoting from its release, "to enable the commission to obtain firsthand reactions on this matter."

My constituents have been asking: "What is the commission waiting for? Why another meeting?" My constituents want an end to this dispute and their children back in school. They've said so by the hundreds, first hand, to the commission. Minister, I ask you again, when will you act to resolve this dispute?

**Hon David S. Cooke (Minister of Education and Training):** It's been the position of this government and of the ministry that the best place to find a solution for this labour dispute is at the bargaining table between the board and the teachers in Lambton county. I'm very pleased to indicate that the teachers and the board are getting back to the bargaining table tomorrow morning. I think it would be responsible for all of us to encourage the teachers and the board to find a solution tomorrow morning at the bargaining table so that students can get back to school on Wednesday.

**Mr Huget:** I appreciate those comments and I remain as optimistic as you do. However, according to the act, the purpose of the commission is "the furthering of harmonious relations between boards and teachers." We are not even through this strike yet and I'm already hearing from parents right across Lambton county about their fears for the next round of negotiations. We have anything but harmonious relations between this board and its teachers.

Can you tell me what you're prepared to do to ensure that relations between the Lambton county board and its teachers are improved so parents and students will not fear a strike every single time this board and these teachers sit down to negotiate?

**Hon Mr Cooke:** I certainly agree with the member that the long-term relationship between the board and its teachers has got to improve. I think this is the third strike the board has had in the last 10 years. This does nothing to serve in improving public confidence in our public education system.

There are services that are offered by Education Relations Commission, and I certainly would encourage the trustees and the teachers' federations to use those services. Preventive mediation and working on improving the relationship between the federation, the union and the board has worked in a number of other jurisdictions in this province. It's worked in my own community in the past. I hope that when this dispute is complete, the teachers and the board will invite the Education Relations Commission to help build that relationship to avoid these problems in the future.

#### OPP INVESTIGATIONS

**Mr Carman McClelland (Brampton North):** I have a question for the Minister of Consumer and Commercial Relations. You have stated in this House that it was in fact the deputy minister of your ministry

who called in the Ontario Provincial Police to investigate the leak of minutes from a leadership team from the casino project. Interestingly enough, I might add, I understand that the same OPP officer who investigated the Piper affair is investigating this particular leak. I guess your government is providing them with a lot of opportunity for this type of investigation.

My first question is this: Were you personally or was anybody in the Premier's office consulted prior to the OPP investigation being launched?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** It's my understanding, and my deputy minister discussed with me that she was going to call in the—

**Mr Chris Stockwell (Etobicoke West):** Did she have an understanding? How can she have an understanding?

**The Speaker (Hon David Warner):** Order. The member for Etobicoke West is out of order.

**Interjection:** He's not even in his seat.

**Mr Stockwell:** This is like talking to Major Major.

*Interjections.*

**The Speaker:** If the member for Etobicoke West insists on offering interjections, which are out of order, the least he could do is move to his proper seat.

**Mr Stockwell:** That's fine. I'll go to my own seat.

*Interjections.*

**The Speaker:** If the House would come to order, then the minister—

*Interjections.*

**Mr Stockwell:** Hey guys, just two more years.

**Interjection:** Don't encourage him.

**The Speaker:** No, he does not require encouragement. The Minister of Consumer and Commercial Relations.

**Hon Ms Churley:** Let me try that again, Mr Speaker. The deputy informed me that she was going to call in the OPP because she was concerned about the fact that there was information leaked from a very sensitive process. She informed me early on that she was going to do that.

**Mr McClelland:** I'll be interested in your response at that point in time. Minister, I should advise you that I have received yet another famous brown envelope that contains some 25 questions. Maybe just to save you, we can make an appointment and the OPP can start their investigation again. When are you going to stop using the OPP to deal with your incompetence and mismanagement? I want to know that.

The other question that I think is very, very important is, what is the scope and the mandate of the OPP investigation in this respect? Is it simply to deal with the leak or, quite frankly, is the scope of the OPP investigation going somewhat beyond that, to maybe



address some of these 25 questions in front of me here?

**Hon Ms Churley:** You get only two today, however. I say to the member that the deputy minister, when she talked to me about this, expressed a lot of concern about the fact that there were any leaks whatsoever from such a sensitive process. She was, as I said before, not worried about the substance of the information you received, but was more worried about the fact there was any leak at all.

As the member knows, this is a very sensitive and important process the deputy minister is running. There are now four short-listed proponents and highly confidential information. I have a feeling that if the deputy hadn't acted in such a responsible way the member would be asking: "What's going on over there? Why aren't you worried about this leak? Why aren't you taking action to make sure the security of this process is kept intact?"

#### WORKPLACE HEALTH AND SAFETY AGENCY

**Mrs Elizabeth Witmer (Waterloo North):** I have a question for the Minister of Labour. You will recall that I asked you on October 6 if you would allow the business community to nominate someone in whom it had confidence as vice-chair of the Workplace Health and Safety Agency. Your response was that you had no indication that Mr McMurdo did not have support from the business community. By now your deputy minister will no doubt have confirmed that indeed the business members of the board, as well as the management advisory committee on October 5 and many companies and associations have asked that Mr McMurdo be replaced. But my question has to do with the other side of the coin. Will you confirm that organized labour has told you that if you do not reappoint Mr McMurdo as management vice-chair, labour will walk away from the agency?

**Hon Bob Mackenzie (Minister of Labour):** I think the member needs to get a better source of information. That certainly hasn't come to me at all.

**Mrs Witmer:** Minister, your answer, or lack of it, does not diminish one bit the concerns of the business community. I have a letter from the chamber of commerce indicating its concerns about the selection process. You are making an intolerable intrusion into the prerogatives of management. What democracy demands is that the management team be chosen by management.

I cannot envision any situation in which you would attempt to nominate a labour co-chair who did not have the support of the union movement. Choosing business representatives for the Ontario Training and Adjustment Board is entirely the responsibility of the management reference group. There is no reason why you should not follow that precedent. I ask you again, will you conform to democratic principles and confirm to this House that any appointment you make has been nominated by and enjoys the full confidence of the other management

representatives and the management advisory committee?

**Hon Mr Mackenzie:** It's our intent to listen to the arguments from both labour and management when it comes to the appointees, which we've done in the past. I'm not prepared to go out and organize or participate in some kind of witchhunt that seems to be going on here now.

1500

#### CLOSURE OF HUNTING AREA

**Mr Gilles Bisson (Cochrane South):** My question is to the Minister of Natural Resources. It's moose season again in northern Ontario, a time when many people of northern Ontario, with anticipation, wait for tags, along with a number of other issues that sometimes are difficult to come by.

My question is specifically, though, around hunting management area 28. There are some logging activities going on within that particular area, around Munroe Lake, around the Lake Abitibi area. What has happened is that the Ministry of Natural Resources has posted that particular township as being closed to hunting. This has obviously led to a lot of problems on the part of hunters who had planned to do some hunting up in that area, probably for the last two or three months, and all of a sudden they find out that they're not able to go into that particular township to do some hunting.

I would like to know if the minister can clarify what the position of the Ministry of Natural Resources is when it comes to designating a working area of a logging company in regard to hunting in that area.

**Hon Howard Hampton (Minister of Natural Resources):** It has always been the case that the Ministry of Natural Resources, in order to promote public safety and most of all to ensure safe hunting, has reserved the capacity to declare certain areas of a wildlife management unit to be offside, in terms of hunting, for a period of time while timber harvesting is taking place.

Where you have, for example, a forest access road and people are actively working in the forest, harvesting along that road, it will not be unusual for local Ministry of Natural Resources officials to place part of the area surrounding that road where people are actively working within a no-hunting restriction for a limited period of time.

**Mr Bisson:** The other part of the problem is the question of notification, how the ministry goes about notifying local area hunters, and obviously hunters from other areas, about how those particular areas are restricted.

One of the things that infuriated the people around the Matheson-Iroquois Falls area was that the way they found out the area was restricted was by driving into it and finding signs. People understand that we have to

have hunter safety when it comes to logging. People accept that. What people have a very difficult time accepting is the possibility of not having any advance notification when it comes to closing off a particular area in terms of hunting.

The people around the Matheson and Iroquois Falls area have asked me to ask you to get your ministry to find a way to give better notification. Secondly, what is the notification process of the Ministry of Natural Resources when it comes to closing sections off to hunting?

**Hon Mr Hampton:** There are several ways in which hunters could receive notice of a no-hunting area or a restricted hunting area. First, there is a very long and deliberate timber management planning process, and someone can learn, by taking part in that process or by calling an MNR office, what blocks will likely be harvested at what times, so someone might have notice even months ahead of where an area will be or possibly may be harvested.

Second, as we grow closer to hunting season, it is possible, by calling an MNR area office or district office, to actually get a time line and a schedule of what areas will be harvested on an almost monthly basis.

Finally, when hunting season is actually occurring, a phone call to a local MNR office will tell you what the exact areas are that may be placed offside in terms of hunting for a given week or a two-week period.

#### INVESTIGATION INTO PUBLIC SHOOTING

**Mr James J. Bradley (St Catharines):** I have a question for the Attorney General, concerning the investigation being conducted by the special investigations unit of the Ministry of the Attorney General into the tragic death of Constable Jeff Paolozzi of the Niagara Regional Police Force.

The Niagara Regional Police Force itself, Chief Grant Waddell, the Niagara Regional Board of Police Commissioners, the Niagara Region Police Association and the family and the individual involved in this particular case are all wondering why it is taking eight months to conduct this investigation and to produce a report.

Would the minister indicate to us when we might be able to expect the results of this report to be made available to the police force, to the family involved and to the individuals who have a special interest?

**Hon Marion Boyd (Attorney General):** The member is quite right. I also have received a communication from the area around the concern about the length of time. There are difficulties in terms of the ability of the SIU to be able to interview all those who are involved in the case. I have the assurance of the director of the SIU that every effort is being made to expedite the process, and I would hope, for the sake of all those concerned, that this would be resolved very quickly.

**Mr Bradley:** In addition to what we would expect in terms of the family and the individual involved in this case wanting to know the results of the investigation, wanting to have available to them the report, there's a second issue that arises here, and it's the issue of occupational health and safety. It's a bit along the lines of what Liberal leader Lyn McLeod asked this afternoon in her question about occupational health and safety, and it is this: The particular weapon that was used in this case—

*Interjection.*

**Mr Bradley:** The member for Cochrane South is indicating this isn't an important question, but I think to the family and to the officers it is.

According to Grant Waddell, there's a great concern about the 9mm Glock pistol that is used and whether it poses any particular threat or any particular safety risks to the officers who are using it. He states, "I would hate to think that some eight months later these deficiencies are continuing, if there are any."

Mike Pratt, who is the administrator of the Niagara Region Police Association, is also fed up with the length of time the SIU takes to wrap up a case, particularly the Paolozzi shooting. He's concerned with the design of the Glock and whether it poses any safety risks to the officers.

Could the Attorney General tell us whether she has been able to have her special investigations unit at least provide to the Niagara Regional Police Force information concerning the safety aspects of the weapon that was used in this particular case?

**Hon Mrs Boyd:** As I think the member knows, it's really very important in an investigation of this sort for it to be proceeded with in a way that is free of any interference. I do not know whether in fact that particular part of the investigation has been shared with the members. I would assume that the concern he is expressing would indicate to me that it has not at this point, but certainly these issues around both that particular weapon and the .38, which was the subject of the previous question, are questions that concern us all.

I understand that the Solicitor General has undertaken to make some decisions in terms of safety of weapons very shortly. It's not, in my view, an unusual request from the police services board that this kind of advice be given as quickly as possible, and I certainly would encourage that that happen.

#### PETITIONS

##### FERRY SERVICE FEES

**Mrs Joan M. Fawcett (Northumberland):** I've been asked by the council of the township of Wolfe Island to present this petition to the Legislative Assembly, with a request also that the Minister of Transportation abandon the proposal to institute ferry fares on the Wolfe Islander ferry.



"We, the undersigned, are shocked at the provincial government's intention of charging fares on the only link between Wolfe Island and the mainland upon which Wolfe Island is dependent. We believe that social and economic costs will be devastating and that the charging of fees on part of the provincial highway system to which we all contribute through taxes and licence fees is discriminatory.

"We request the council of the township of Wolfe Island to take urgent action against the provincial declaration and to engage such specialists as are necessary to advise and guide them on legal and technical matters. Expenses should be derived from general taxes."

I've signed the petition.

1510

#### SHORELINE MANAGEMENT PLAN

**Mr Leo Jordan (Lanark-Renfrew):** I have a petition to the Legislative Assembly of Ontario:

"We, the undersigned, oppose the adoption and implementation of the second draft of the ABCA shoreline management plan. The SMP is unnecessarily restrictive upon existing development. The SMP can be used to prevent us from winterizing our home, enclosing a porch, erecting a storage shed and so on. The terminology employed designates our property as hazard lands and impairs the market value of our property unnecessarily, as our homes are not hazards. The SMP is premature. Its adoption and implementation is contrary to common sense and sound planning policy.

"We petition that the ABCA board of directors acknowledge the substantial public opposition to the ABCA shoreline management plan by the undersigned. Withhold approval and adoption of the plan until appropriate provincial policy statements have been approved under the Planning Act. Alternatively, instruct staff to make substantial amendments to the plan so as not to unnecessarily prejudice home owners who live along the shore of Lake Huron, to direct its staff to take into account all of the public input to date and remove the exaggerated planning restrictions contained in the plan."

This is signed by over 750 residents and I affix my signature.

#### OPP DETACHMENT

**Mr Larry O'Connor (Durham-York):** I am bringing this petition forward on behalf of my constituents, who are concerned about the preservation of law and order in their community. Residents are concerned about an article which appeared in the September 14 issue of the local newspapers in Brock which threatened, "Brock Residents Might Lose OPP Station."

Petition to the Legislative Assembly:

"Whereas the Beaverton OPP station has been a long-standing integral part of the Beaverton area;

"Whereas many officers have established permanent homes in the Beaverton area and have become strong voices in the community, volunteer and non-profit groups;

"Whereas the OPP station provides an economic benefit to the Beaverton community;

"Whereas the OPP station provides a much-needed policing presence;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the Ontario government maintain the OPP station in Beaverton, as a closure will be detrimental to the interests of security, safety and wellbeing of all the residents of Brock."

I have signed the petition in support.

#### HEALTH CARE

**Mr D. James Henderson (Etobicoke-Humber):** "To the Legislative Assembly of Ontario:

"Whereas proposals made under the government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of health care; and

"Whereas these proposals will result in a severe reduction in the provision of quality health care services across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario move immediately to withdraw these proposed measures and reaffirm its commitment to rational reform of Ontario's health care system through its obligations under the 1991 Ontario Medical Association-government framework and economic agreement."

I have added my signature to this petition, and I think it is an excellent piece of work.

#### GAMBLING

**Mr Ted Arnott (Wellington):** I have a petition to the Legislative Assembly of Ontario as follows, and it reads:

"Whereas the NDP government is considering legalizing casinos, and video lottery terminals, in the province of Ontario; and

"Whereas there is great public concern about the negative impact that will result from the above-mentioned implementations;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government stop looking to casinos and video lottery terminals as a 'quick-fix' solution to its fiscal problems and concentrate instead on eliminating wasteful government spending."

I've affixed my signature and I support this petition.

## FERRY SERVICE FEES

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** Last Friday I met with the Residents Against Ferry Tolls, or RAFT, in Picton. They presented me with this petition to read to the Legislature:

"We respectfully request that the Legislature of Ontario direct the Minister of Transportation not to impose tolls on the ferries which are necessary for access to our communities.

"The government's proposal to charge tolls on the ferries will cost individual families thousands of dollars and may very well reduce incomes of businesses whose customers use the ferry by tens of thousands of dollars.

"Hundreds of thousands of dollars will be transferred to the provincial government in Toronto through the new ferry toll. In the long run, the economy of this area will be reduced by millions of dollars.

"The proposed ferry toll is a new tax that this area cannot afford and in the end is a tax that the province cannot afford."

It's signed by people like Glenn Coates, Bernice McConnell, Kimberly Hart, and I affix my signature.

## HEALTH CARE

**Mr D. James Henderson (Etobicoke-Humber):** I have a petition signed by several hundred constituents:

"To the Legislative Assembly of Ontario:

"Whereas proposals made under the government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of health care; and

"Whereas these proposals will result in a severe reduction in the provision of quality health care services across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario move immediately to withdraw these proposed measures and reaffirm its commitment to rational reform of Ontario's health care system through its obligations under the 1991 Ontario Medical Association-government framework and economic agreement."

I have affixed my signature as well to this very credible petition.

## INTRODUCTION OF BILLS

FREEDOM OF INFORMATION  
AND PROTECTION OF PRIVACY  
STATUTE LAW AMENDMENT ACT, 1993LOI DE 1993 MODIFIANT LES LOIS  
CONCERNANT L'ACCÈS À L'INFORMATION  
ET LA PROTECTION DE LA VIE PRIVÉE

On motion by Mr Tilson, the following bill was given first reading:

Bill 97, An Act to amend the Law related to the

Freedom of Information and Protection of Privacy /  
Projet de loi 97, Loi portant modification des lois  
concernant l'accès à l'information et la protection de la  
vie privée.

**The Deputy Speaker (Mr Gilles E. Morin):** Do you have any comments, Mr Tilson?

**Mr David Tilson (Dufferin-Peel):** The purpose of this bill is to amend the Freedom of Information and Protection of Privacy Act, 1987, and the Municipal Freedom of Information and Protection of Privacy Act, 1989, to provide access to information relating to the salary of public service employees.

MUNICIPAL AMENDMENT ACT  
(VITAL SERVICES), 1993LOI DE 1993 MODIFIANT LA LOI  
SUR LES MUNICIPALITÉS  
(SERVICES ESSENTIELS)

On motion by Mr Turnbull, the following bill was given first reading:

Bill 104, An Act to amend the Municipal Act in respect of vital services bylaws / Projet de loi 104, Loi modifiant la Loi sur les municipalités en ce qui concerne les règlements municipaux relatifs aux services essentiels.

**The Deputy Speaker (Mr Gilles E. Morin):** Mr Turnbull, do you wish to make any comments?

**Mr David Turnbull (York Mills):** The purpose of the bill is to allow local municipalities to pass vital services bylaws so that vital services such as electricity, gas and hot water can be provided to the occupants of rented premises when the landlord fails to meet an obligation to provide them.

1520

## ORDERS OF THE DAY

*House in committee of the whole.*

## ONTARIO CASINO CORPORATION ACT, 1993

LOI DE 1993 SUR LA SOCIÉTÉ  
DES CASINOS DE L'ONTARIO

Consideration of Bill 8, An Act to provide for the control of casinos through the establishment of the Ontario Casino Corporation and to provide for certain other matters related to casinos / Projet de loi 8, Loi prévoyant la réglementation des casinos par la création de la Société des casinos de l'Ontario et traitant de certaines autres questions relatives aux casinos.

**The Chair (Mr Gilles E. Morin):** Are there any advisers also who should sit at the table? Mr Duignan, do you have any advisers whom you wish to bring into the House?

**Mr Noel Duignan (Halton North):** Yes, Mr Chair.

**The Chair:** If they want to come in now, we'll just wait for a few minutes.

Mr Duignan, I believe that you have some amendments, if you wish to list the sections that are affected.



**Mr Duignan:** We have amendments to section 5, amendments to section 19 and amendments to section 39.

**The Chair:** Mr McClelland, I believe you have some amendments too, if you want to list them.

**Mr Carman McClelland (Brampton North):** I do. I'm just pulling together, with your indulgence, a comprehensive list; bear with me. I want to indicate that I certainly have an amendment to section 6 initially, and I'll provide you momentarily with a detailed list.

**The Chair:** Would you please bring them to the table.

If I understood you well, Mr McClelland, you only have one on section 6?

**Mr McClelland:** That's correct, Mr Speaker, at the present time.

**The Chair:** Mr Eves?

**Mr Ernie L. Eves (Parry Sound):** Yes, Mr Chairman, we will be introducing amendments, as we did in standing committee, to move a new section 5.1; an alternate amendment, 5.1; 5.2; an alternate subsection 5.2(1); 5.3; subsection 6(3); a new section 13.1; paragraph 13(1)1.3; paragraph 13(1)3.1; subsection 13(3); subsection 16(1); clauses 18(1)(b) and (2)(a); and a new section 19.1.

**The Chair:** Are there any questions from section 1 to section 5? Hearing none, we'll then proceed to section 5.

Shall sections 1 through 5 carry? I'll repeat again, shall sections 1 through 5 carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

**Mr Eves:** Mr Chairman, sorry. If I might, it's my understanding that we have an agreement that where there is a division, all divisions will be held and stacked at the end of the bill.

**The Chair:** Is it agreed? Agreed.

There is an amendment to section 5.1, I understand. Mr Duignan, if you want to move it.

**Mr Duignan:** I move that the bill be amended by adding the following section:

"Location of casinos

"5.1(1) The corporation shall not provide for the operation of a casino in a municipality unless the council of the municipality has passed a resolution approving the operation of the casino.

"Public meeting

"(2) The council of a municipality shall not vote on a resolution to approve the operation of a casino until,

"(a) it held at least one meeting that was open to the public and at which it presented the proposed resolution; and

"(b) at least seven days have passed since all meetings were held.

"Notice

"(3) The council of the municipality shall give at least fifteen days notice of a meeting,

"(a) in the prescribed manner in a newspaper having general circulation in the municipality; and

"(b) in any other manner that is prescribed.

"Representations

"(4) All persons who attend the meeting shall be afforded an opportunity to make representation in respect of the proposed resolution.

"Exception

"(5) Despite anything in this section, the corporation may provide for the operation of a casino in the casino area within the meaning of section 19 or in the interim casino area within the meaning of section 19.1."

**The Chair:** I will read it again. Mr Duignan moves that the bill be amended by adding the following section—dispense? Dispensed.

**Mr Duignan:** At this point I would like to stand down this particular motion, as it makes reference to sections 19 and 19.1, the amendments.

**The Chair:** Is there unanimous consent that we'll proceed the way Mr Duignan has proposed? Agreed.

Mr Eves, do you wish to do the same thing about section 5.1, stand it down?

1530

**Mr Eves:** No, I do not.

**The Chair:** Please go ahead.

**Mr Eves:** I move that the bill be amended by adding the following section:

"Location of casinos

"5.1 The corporation shall not provide for the operation of a casino in any location other than in the casino area within the meaning of section 19."

The purpose of moving this amendment, as it was indeed in standing committee during the break, was that there seems to be at least some discussion out there among the people of Ontario as to whether or not there should be any future casinos proceeded with in the province of Ontario.

The purpose of this amendment quite simply is that "casino area" is specifically defined under section 19 of the bill as it relates to the operation of a casino in the city of Windsor only. We have no problem with that, but we would not like to see any additional casinos proceeded with in other places in the province unless we were satisfied that indeed the Windsor experience had gone well and that the people, in those municipalities at least, would want a casino in their municipality.

We are quite simply moving an amendment to the legislation which would require the government to come

back to the Legislative Assembly of Ontario before it proceeds with any subsequent casinos. The government has said itself on numerous occasions that it's treating Windsor as a pilot project only and that it's going to see how the experience in the city of Windsor goes before it would even think of taking any further steps elsewhere in the province. We are merely putting that intent the government has enunciated into language in the bill.

**Mr Duignan:** Briefly, again, this is enabling legislation to allow casinos to be established in the province of Ontario. The government at this time has no intention of expanding the casinos beyond the area of Windsor.

**Mr McClelland:** Notwithstanding what my friend the parliamentary assistant says—I have absolute confidence in his personal integrity and I understand he's speaking on behalf of the government—I note for the record that he says "at this time." I would hasten to add that I have little doubt in my mind that somewhere between now and the great consultation with the people of the province in and around 1995 the government will somehow find itself on a different tack. I would be very confident in predicting that there will be some four or five other locations.

I think that as part and parcel of this as we get into the discussion, as we talk a little bit further throughout the course of this afternoon and tomorrow's deliberations, a number of other amendments will be tabled by my friend the critic from the third party, Mr Eves, and myself that will indicate that we feel there should be some procedures in place.

I hasten to add that going into the election of 1990 the well-understood position of the current government was that there would not be legalized gaming casinos in the province of Ontario. It would certainly be a stretch to say this was a major campaign issue—it was not—but it was clearly understood by people who had worked both within and without the party that this was its position.

I think it incumbent on the government to state very plainly and very clearly what its intent is. They say that at this time they have no intent to proceed, and that may very well be the case. I would suspect that upon the passage of Bill 8, when it receives royal assent, it will be a different time and a whole different set of priorities, and a government agenda may be forthcoming.

I wanted to indicate that we would be supporting the PC amendment brought forward by the member for Parry Sound. What it does is put upon the government a responsibility to put some substance to its rhetoric, to say to it: "If this is your position, live by it. Be prepared to commit it to writing, commit to the legislation and stand by what you are saying." I will be supporting this amendment.

**Mr Eves:** I think the critic for the Liberal Party has enunciated it quite succinctly. I would like to clarify, however, the stacking and voting arrangement we have.

It is my understanding among the House leaders that we will not require five people to stand for every single vote that's about to be stacked. If there's disagreement on one side or the other, we will merely stack the votes until the end of the committee of the whole process.

**The Chair:** Agreed? Agreed.

Questions or comments to Mr Eves's amendment? Shall the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Stack the vote.

The next amendment is yours, Mr Eves.

**Mr Eves:** I have an alternate amendment to section 5.1. We won't of course know the disposition of the amendment that was just stacked until it's voted upon.

I move that the bill be amended by adding the following section:

"Location of casinos

"5.1 The corporation shall not provide for the operation of a casino in any location other than in the casino area within the meaning of section 19 until,

"(a) the corporation has completed a report on the economic and social consequences of the operation of the casino in the casino area within the meaning of the section during its first two years of operation;

"(b) the minister responsible for the administration of the act has laid the report before the assembly within six months following the end of the first two years of the casino's operation if the assembly is in session, or if not, the beginning of the next session;

"(c) the assembly has referred the report to a standing committee of the assembly;

"(d) the assembly has approved the report."

This amendment is somewhat similar to the last, except that it's a little bit more detailed. It simply says, as indeed the last one did, that the government will not proceed with an additional casino until the Windsor experience has been up and operating for at least two years and the corporation has completed a report on the economic and social consequences of a casino being in Windsor and in operation for two years. Then it would simply require a report of the corporation back to the Legislative Assembly. The assembly would then refer that report to a standing committee, which would indeed produce a report of its own, and the assembly would have to approve of that report.

Again, we are simply asking that the Legislative Assembly of Ontario have the final say as to whether or not there will be additional casinos, along with residents of any municipalities in the province of Ontario in which the government proposes to place additional casinos in the future.

As Mr McClelland has indicated, it is somewhat



important in that during the 1990 election, when this government was elected, I don't think any party addressed the issue of casino gambling. It certainly was not a matter of public record that the New Democratic Party, or any party, for that matter, if elected, was going to introduce casino gambling into the province of Ontario. In fact, any statements we have from the current Premier or the current Minister of Finance indicated exactly the opposite.

All we are saying is that before the province thinks about proceeding with any casinos in addition to the pilot project in the city of Windsor, which by its own words and admission is indeed a pilot project, it should certainly take a long, hard look at the experience in Windsor. All I am doing is taking the government's own sentiments and words and putting them into an amendment that will be embodied in the legislation.

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**Mr Duignan:** I must say that this particular government has no intention of expanding casinos beyond the area of Windsor at this particular time. Also, the reason for the pilot project is to review the operations and management of the casino in Windsor. If it doesn't work out, it doesn't work out, and there will be no more casinos either in Windsor or in the province.

**Mr Eves:** I take it you will be voting for this amendment.

**Mr Duignan:** Indeed, we'll be supporting this amendment.

**The Chair:** Any further questions or comments? Shall Mr Eves's motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Stacked.

**Mr McClelland:** Mr Chair, with your indulgence, I indicated earlier that I have three more amendments I'd just like to table: section 6.3, subsection 13(1) and section 18.1.

**The Chair:** If you want to bring them to the table, make sure you give copies to your colleagues also. Mr Duignan, do you have any copies of Mr McClelland's amendments?

**Mr Duignan:** No, not yet.

**The Chair:** Mr Eves, you have an amendment to section 5.2, I believe.

**Mr Eves:** That is correct. I would like to introduce another new section into the bill, section 5.2. This section has to do with referendums to decide whether or not there will be casino gambling in the province.

I move that the bill be amended by adding the following section:

"Referendum required

"5.2(1) The corporation shall not provide for the

operation of a casino in any location until the operation of the said casino has been approved by a referendum of the municipality in which the casino is to be located.

"Chief election officer

"(2) The chief election officer shall be the chief election officer for the referendum.

"Question

"(3) The question put on the referendum ballot shall in English and French as follows:

"Are you in favour of gambling casinos being operated under the Ontario Casino Corporation Act?

"Conduct of referendum

"(4) The chief election officer shall conduct the referendum in the manner set out in the regulations made under this act."

**The Chair:** Mr Eves, you said "has been approved by a referendum of the municipality." I presume you meant "regional municipality?" The amendment we have here says "regional municipality, district municipality or county."

**Mr Eves:** No, I changed the wording when I read the amendment—sorry, Mr Chair—to "referendum of the municipality in which the casino is to be located."

**The Chair:** Mr Eves moves that the bill be amended by adding the following section, and I will read it to you again, Mr Eves:

"5.2(1) The corporation shall not provide for the operation of a casino in any location until the operation of said casino has been approved by a referendum of the municipality in which the casino is to be located.

"(2) The chief election officer shall be the chief election officer for the referendum"—dispense? dispense.

Mr Eves, do you have any comments?

**Mr Eves:** This probably goes to the crux of the entire issue of casino gambling in the province of Ontario. We had this debate at some length in the standing committee and I'm not going to reiterate all the arguments that were made in committee. Suffice it to say that both the provincial government and indeed the municipal government, for that matter, in the city of Windsor seem to say: "Trust us. The people of Ontario and the people of Windsor want casino gambling in the province of Ontario."

All I am asking the government to do is to put that in the statute and actually give the residents of any municipality in which the provincial government proposes to locate a province-owned casino the right to either accept or reject a casino in their own municipality.

As I said, and as has been reiterated I think several times during the committee stage of this bill, it is of vital importance, especially when we take into account, as I said a few minutes ago, that in the 1990 election campaign there was no discussion whatsoever of casino

gambling. This was certainly not a policy or a platform advocated by the New Democratic Party of Ontario. They are now the government of Ontario, the governing party in Ontario. The very least the government could agree to is to listen and hear from the people as to whether or not they want casino gambling in their own municipality, and I don't, for the life of me, understand why the government would not adopt or be receptive to such an amendment.

They seem to be quite convinced that the people overwhelmingly want a casino in the city of Windsor. Having attended the hearings in the city of Windsor for a week, I would say that perhaps the majority of the city's residents do want a casino in the city of Windsor. But what is wrong with letting the people in the city express themselves in that municipality about whether or not they indeed want casino gambling? Similarly, for any future casinos which may be located by this or other governments in any municipality throughout the province of Ontario, what is wrong with having that jurisdiction, by way of a referendum, hear from its own constituents, its own residents, its own people, and let them decide whether they want a casino in their own jurisdiction or not?

As Donald Trump was quoted as saying on several occasions in an interview he had with the CBC, he would certainly not want a casino located in any jurisdiction in which he resided. Now, here's an individual who owns casinos, who has been in the business for a number of years, and he indicates that he certainly would not want a casino in any jurisdiction in which he resided.

All I'm saying is, why would you not let the people of any municipality—why would you not want to hear from them? Why would you not want them to make the ultimate decision that they did or did not want a casino in their municipality?

I think it's a fairly straightforward, simple amendment. I don't see how any government that believes in the democratic process could oppose such an amendment.

**The Chair:** The member for Brampton South.

**Mr McClelland:** Brampton North, Mr Chairman; I appreciate that. I'm going to reserve comment and just say that in terms of the spirit of the sentiment of this particular amendment, the Liberal Party had coauthored, if my friend from the Conservative Party will give us that indulgence, what he will be introducing as an alternate amendment to section 5.2.

Simply stated, we are in agreement with the concept of a referendum, or a series of referenda, to be more precise, and we would in fact have it on a municipality-by-municipality basis. I'll be speaking at greater length. I'll simply say that in terms of the general principle that my friend from Parry Sound has enunciated, we are in favour of that. Notwithstanding that, we would qualify

it somewhat and say that rather than a province-wide referendum, we would rather have it on a city-by-city basis.

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**Mr Duignan:** Without going into all the arguments and counterarguments that took place in the committee, I just wish to point out that our section 5.1, which we'll be coming back to later, gives additional say to the people in the municipality. It sets out that at least one public meeting must be held and a resolution of council must be passed. Also, don't forget that each municipality has the option of including that on a ballot if it wishes, without going to further lengths and including this particular amendment in legislation.

Was there a referendum on casino gambling in British Columbia? Was there a referendum on casino gambling in Alberta? Was there a referendum on casino gambling in Saskatchewan? Indeed, was there even this process in Quebec? The answer is no.

What we're doing is that we are giving a municipal option under section 5.1. Also, as I pointed out earlier, each municipality has the option of including that on the ballot if it so desires at the present time.

**Mr Monte Kwinter (Wilson Heights):** I'd like to ask the member for Parry Sound for a clarification. I apologize; I don't have a copy of his amendment. I listened to his reading of the amendment and in his question, if he would just clarify it for me, I think he said the question would say, "Are you in favour of casino gambling in Ontario?" Would the member please indicate if that is what the question says?

**Mr Eves:** I said, "Are you in favour of gambling casinos being operated under the Ontario Casino Corporation Act?" which I believe are the words suggested by the member for Wilson Heights in the committee itself.

**Mr Kwinter:** If I may, the concern I have, and the member's own statement about Mr Trump outlines the problem I have, is that someone may not have a particular concern about casino gambling in a broad sense but may not want it in their particular community. I would be a little happier if the question on the referendum included the words "in your community." What you're doing is, you're asking someone to hold a referendum about a decision for their particular community, but the question is very broad and it's asking, "Are you in favour?" virtually for all of Ontario.

I would think that if it were more pointedly directed to that particular community, then someone might be able to deal with the issue without having to say, "Do we want casino gambling at all, anywhere in Ontario, or am I in favour of having it in my particular community?" I would appreciate his comments on that.

**Mr Eves:** Fine. I have no problem with amending the question in the wording of subsection (3) to satisfy



the concern raised by the member for Wilson Heights. Am I permitted to do that? I would like to move that subsection 5.2(3) be amended to read as follows:

"The question put on the referendum ballot shall be in English and French as follows:

"Are you in favour of gambling casinos being operated in your municipality under the Ontario Casino Corporation Act?"

**The Chair:** Mr Eves has moved the following amendment to the question:

"Are you in favour of gambling casinos in your municipality being operated under the Ontario Casino Corporation Act?"

Is that correct, Mr Eves?

**Mr Eves:** That's correct.

**The Chair:** Everybody agrees with the amendment? Okay. We all agree with it.

**Mr Kwinter:** I don't want to nitpick, but I think the wording isn't quite right. I think it's, "Are you in favour of gambling casinos being operated in your community?" If you do it the other way around and you say, "Are you in favour of gambling casinos in your community being operated?" it presupposes that you're going to have it there. The question you're asking is, "If the casino is in your community, are you in favour of the Ontario Casino Corp operating it?" whereas what you really want to say is, "Are you in favour? May gambling casinos be operated in your community under the Ontario Casino Corp," which means you have to make a decision as to whether or not you want them. If you do it the other way around, it presupposes you've already got the casino. You're just deciding who's going to operate it.

**The Chair:** Mr Eves, are you in favour of that?

**Mr Eves:** I don't follow the honourable member's rationale. He says now, "Are you in favour of gambling casinos being operated in your municipality under the Ontario Casino Corporation Act?" How would the member like to juxtapose those words to ask what he thinks is the appropriate question?

**Mr Kwinter:** The member for Parry Sound has just read it the way I understood it. That is not the way the Chairman said it.

**Mr Eves:** That's the way I read it into the record.

**Mr Kwinter:** He had it the other way around.

**The Chair:** That's correct; that was the Chairman's mistake. The Chairman will read it again. If I make a mistake, you let me know again. "Are you in favour of gambling casinos being operated"—but you said "community" and he said "municipality;" I will accept "municipality"—"in your municipality under the Ontario Casino Corporation Act." Agreed? Agreed.

Now I will recognize the member for Etobicoke West.

**Mr Chris Stockwell (Etobicoke West):** It's important that we get the wording right before it is lost.

I want to speak briefly to this specific issue. The defence offered by the able-minded parliamentary assistant, Mr Duignan, is that there are other jurisdictions in the province or in this country that have instituted gambling casinos without going through the referendum process and, thereby, that allows us to institute gambling without a referendum. Obviously, the first argument for that is, and I look at the member for Middlesex—

**Mrs Irene Mathysen (Middlesex):** Well, don't.

**Mr Stockwell:** I'm doing my best. The argument is clearly, in the first place: Everyone else has done it. Should we do it? When you're a kid playing on the street, if your friend jumped off a bridge, would you jump off a bridge? It's that simple. Just because others have done it doesn't thereby make it right. If every province in this country and every state in the United States went ahead and instituted legalized gambling, I would still feel compelled to consult with the constituents who would have to live with legalized gambling, whether it's through a referendum or some process to allow them the opportunity of changing the fabric of their neighbourhoods, which is what you're doing. With the greatest respect, I suggest the parliamentary assistant, hailing from somewhere due northwest—

**Mr McClelland:** Halton.

**Mr Stockwell:** In Halton.

**Mr Ted Arnott (Wellington):** Lives in Georgetown.

**Mr Stockwell:** Lives in Georgetown. I say to him and the minister, who happens to represent eastern Toronto, how come they have such sway over what the people of Windsor would like in their community, particularly when it comes to casino gambling, when many people have suggested casino gambling and the mob are not far behind one another and they don't know which is first? It seems very clear to me that any reasonable government, changing the very fabric of a community, would allow the community to have some kind of say into what the process is.

The next point he's made is that he says there's going to be a public meeting. Big deal. You have a public meeting about whether or not the YMCA gets an extra gym room; you have a public meeting as to whether or not lights go up at the corner; or a public meeting as to whether or not your school goes from kindergarten to grade 8.

You don't have a public meeting to decide whether we're going to have gambling in our city, one public meeting to decide whether we're going to have gambling. Thereby, a lot of people are going to say, organized crime and a whole bunch of other problems come in.

Public meetings are meant for issues at the grass-

roots level that affect communities. This is not affecting a community; it's affecting an entire city, if not region. Surely someone should have an opportunity to say yea or nay.

1600

Now, the final point is this: If I felt their argument remotely believable and credible, I may vest in them the opportunity of making these kind of city-wide decisions for people, but let's be clear about this.

**Mrs Karen Haslam (Perth):** Sounds like he's campaigning.

**Mr Stockwell:** Let's be very clear about this, and I say it right to this Noel Duignan, who lives in Georgetown and represents Halton, I say to you specifically, and I look around and say to the others—and I note the ex-minister of culture and junior minister to some other ministry, who stood up and defended her constituents on the social contract. I respect her viewpoints and positions because she had the guts to stand up and take a stand—

*Interjection.*

**Mr Stockwell:** I'm not so sure I could say it to you because you didn't have the guts to take a stand, nor some of the others who are in here, nor all the others who are in here in fact. But I say to the member for Huron, Mr Klopp, I say to them all, when you campaigned in 1990, I did not hear you suggesting to the people of the province of Ontario what we need—

**Mr Paul Klopp (Huron):** You didn't even know where Huron county was during the election.

**The Chair:** The member for Huron, please.

**Mr Stockwell:** I knew where Huron county was and I knew where Durham was and I knew Mr Wiseman and I knew a few others—

**Mr Jim Wiseman (Durham West):** How would you know me?

**Mr Stockwell:** I knew you, Mr Wiseman, because you believed there shouldn't be a dump in Durham and you've lived by that credo, so you got five instead of one.

But, Mr Chair, what I'm saying is that this government of social democrats, this government of opposition to lotteries, for heaven's sake—lotteries were a tax on the poor. You said: "You can't have lotteries; it's a tax on the poor. How dare you, Conservative government, have a lottery?" This government that's opposed to any form of gambling, if you want to call lotteries gambling, this government that said it's a tax on the poor, it's going to take the hardworking man's and woman's day's wages and fritter them away, is not this government that campaigned on legalized casinos. To think that you have any kind of mandate to institute this is an insult to the taxpayers and absolutely the most hypocritical thing any government has done during the past 25 years.

We may have a difference of opinion with you on some issues, but you had no position on this but one: You were opposed to lotteries, and here you are introducing legalized gambling and you're not giving the people of Windsor an opportunity—

**Mr Kimble Sutherland (Oxford):** Some members were, but not the party policy.

**Mr Stockwell:** Excuse me?

*Interjections.*

**The Chair:** Address your remarks to the table.

**Mr Stockwell:** I'm doing my best.

**The Chair:** Ignore them.

**Mr Stockwell:** I'm trying, Mr Chair.

**Mrs Haslam:** Very trying.

**Mr Stockwell:** I'm trying to address them through the Chair.

**Mr Eves:** I've got some advice for you: Don't egg him on.

**Mr Stockwell:** I'm trying, Mr Chair. You'd think the ones who were so bold-facedly hypocritical on an issue would at least have the decency to be silent when they're getting chastised. These people don't even have the decency, after fooling the public in 1990, just pure trickery and introducing this kind of thing—you'd think they would have the decency, if not at least a little moral suasion that they be quiet. But no, they still yack, they still talk about casino gambling when they have absolutely no room to do that.

I ask them this: Tell me how many provincial legislatures introduced casino gambling in their provinces that were socialist by nature, NDP in fact, elected social democrats like yourselves who also had a position very clear during the election that they oppose lotteries, let alone casinos. I ask the member from Halton who lives in Georgetown, how many of those provinces that instituted gambling had an NDP government and how many of them actually came out beforehand and opposed not only casinos but lotteries as well?

**Mr Duignan:** I'm always interested and amused by the ravings of the member for Etobicoke West. If he looked at the government that introduced casino gambling in British Columbia, it was a Social Credit government, in Alberta it was a Tory government, Saskatchewan—Quebec was a Liberal government. All governments of all political stripes introduced casino gaming in some form into their provinces.

I would remind you that we are giving a municipal option to the various municipalities that doesn't exist anywhere else in this country. We're asking that a vote of council take place, we're asking that public meetings take place and, if the people of that particular municipality so wish, that will put enough pressure on the local councillors that I suspect the councillors will introduce a referendum on the local ballot in 1994.



Obviously the member for Etobicoke West hasn't been following the debate in Windsor. There's been extensive consultation over the last 12 or 18 months with the people of Windsor, with the city of Windsor to the various corporations in Windsor, and I have great faith in the elected representatives of the city of Windsor. They know what their people want. They want the casino in Windsor and have great faith in the provincial elected representatives of Windsor because they speak for the people of Windsor and they know the people of Windsor want a casino.

**Mr Stockwell:** He mentioned some parties. He mentioned the Social Credit and he mentioned Conservatives and he mentioned Liberals. I didn't hear any social democratic parties; I didn't hear any NDP parties; I didn't hear any parties that campaigned against lotteries in the elections when they were elected. I didn't hear about any parties that campaigned against any kind of legalized gambling. All I heard from you were other parties that didn't go on the record as opposed to lotteries and didn't go on the record as opposed to casino gambling. You're opposed. You've been on the record as being opposed. That's the question.

The answer I got is that there hasn't been a social democratic NDP government that legalized gambling in the province that it represents. Why? Because they had some courage of their convictions, I suppose. They weren't so money-hungry and grubbing for every dollar they could grab that they would absolutely throw every principle they have out the window and legalize gambling, which is nothing but a tax on the poor and creates hardships for all the hardworking citizens in the province of Ontario.

**Mr Gilles Bisson (Cochrane South):** What a pompous idiot.

**Mr Stockwell:** What a—can you imagine this? Holy cats.

**The Chair:** Order, please. The member for Etobicoke West, please take your chair. The member for Cochrane South, please take your seat. The member for Cochrane South, I find this language offensive, insulting—

**Mr Bisson:** Mr Chairman, I would withdraw that statement to the honourable member.

**Mr Stockwell:** Did he withdraw and apologize?

**The Chair:** He did.

**Mr Stockwell:** Okay, thank you.

I think it's clear that there's been no social democratic—when I refer those words back, when I give you those words and those positions, those are not my positions. I never espoused those positions in any election. Those are the positions that were put forth by your leader of your government. Those are the kinds of things he said when we were talking about lotteries.

Those are the positions that you put forward.

I ask in conclusion, considering the position that you put forward in 1990 and pre-1990, considering that your party was opposed to lotteries as a tax on the poor, considering that you were opposed to any kind of gambling, legal or not, before you were elected in 1990, would you not consider it reasonable, considering you got elected on a mandate which was completely opposite to this piece of legislation, that the people in Windsor be given the opportunity of voting in a referendum and not leaving it up to a local council—

**The Chair:** Order, please. I just want to remind you that we're debating an amendment. That's what you should limit yourself to.

*Interjections.*

**The Chair:** Order, please. Order. Just read the amendment. That's what you've got to debate on.

**Mr Stockwell:** That's what I was asking.

**The Chair:** Go ahead.

**Mr Stockwell:** Would it not be reasonable, considering the history of your party, to allow the people of Windsor to have the opportunity to comment on this piece of legislation?

**Mr Duignan:** Again I must say to the member for Etobicoke West that the people of Windsor have spoken very clearly and very forcefully to their city representatives over the last 12 or 18 months. They want the 8,000-odd jobs in Windsor that the casino will bring not just to the casino but to the related industries.

1610

But again, here's a member from the Tory party. Was there a referendum when the Tories decided to institute Minaki Lodge or buy Suncor shares? No. No, but all of a sudden they want to when we introduce casinos; very selective.

*Interjections.*

**The Chair:** Order. I would ask the members to my right to be a little more quiet, please, and then we'll proceed.

**Mr McClelland:** Quite frankly, I apologize; I was not paying the attention due to the member for Parry Sound when he read his motion for the amendment. I in fact had two in front of me. One was an alternate that was not put forward. I indicated that we would be supporting the amendment that we are in fact speaking to, which deals with referenda on a municipality-by-municipality basis with respect to the issue and a question being put on the issue of gambling casinos being operated in a particular municipality.

I think any one of us would have some difficulty, I suppose, following the style of the member from Etobicoke, but I simply want to say that when we were at committee in the first instance, during the summer recess, this was a motion that was effectively

coauthored by both the member for Parry Sound and myself as critic for the official opposition.

We felt very strongly as we went from place to place across the province that notwithstanding the fact that there were elements of support, there were also elements of concern in municipalities. By way of example, there are issues that not only deal with the appropriateness of a casino but what type of casino, and much of the public opinion in a community turns on the model and the format that it would take.

For example, I say to my friend the parliamentary assistant, when we were in Ottawa there was a very clear vision of what kind of casino that community wanted, and its support of a project, qualified as it was, was only if it was that type of casino, something entirely different than the concept in Windsor. I also hasten to add that there was a tremendous amount of uncertainty in every community we went to, and you will recall that everywhere we went there were people who spoke, in some cases very, very passionately, against the whole concept.

It is not the type of issue, I think, that can be likened to some other decisions that have been made in the past by governments. I would also suggest, quite frankly, that we are in an era, a time, an age of political life where people want to have a sense of participation.

You say it turns simply on the leadership of the community. It seems to me it's much more than that. It's not a matter of a point of interest simply for elected members of a municipal council. Given the intensity and the passion that is felt on this matter, it's the type of thing that is a fundamental change and departure from a policy and an economic direction for a government.

I find it curious as well that a government under whose leader, the Premier of the province, so very, very strongly participated in a referendum on a constitutional issue would be so reluctant to afford the opportunity to municipalities that are considering this to put it on a municipal ballot. Bear in mind in terms of logistics that we have a municipal election coming up in about a year from now.

It's evident that the interim casino itself in Windsor will not be under way until March, perhaps even later, perhaps mid-year, given some of the difficulties that are transpiring with respect to the interim casino. There's surely significant time and opportunity between now and the advent of any subsequent casino projects in this province to put a question very, very clearly on a municipal ballot. The opportunity that just cries out to be seized by the government is the municipal election of 1994.

I think it would be the kind of question put on a referendum that would engender debate in the community, that would allow—and let me say this very candidly—some of the myths that have surrounded the casino

project to be dealt with. I think it would also allow an opportunity to ask some of the very, very tough questions on the flip side of the coin that this government has not addressed, and there are some tough questions.

I find it curious that every day we ask a question in this House, the minister will say, "Well, I'm just the minister and I've delegated this to other people." The fact of the matter is that there are some very tough questions that need to be asked surrounding this particular project in Windsor.

I don't know if the OPP investigation's going to get around to asking them, but be that as it may, I think an opportunity to put a referenda question to municipalities across this province would afford citizens in those communities and interest groups in those communities the opportunity to really dig in and get some of the answers they want.

I recall being in Niagara Falls, where we wrapped up that day with a very eloquent—and the parliamentary assistant will remember this. There was a coalition called the Try Another Way Committee out of Niagara Falls. They put to the committee, committee members and government members, some very specific questions in terms of how they would proceed.

I do not want to revisit each and every one of those questions that they put forward. Suffice it to say that the questions were well-thought-out. I think all members of the committee, of all three parties, paid tribute to the members of that coalition and thanked them for the job they had done both in terms of the quality of the presentation and obviously the commitment they brought to the process.

Those questions, I would say to the parliamentary assistant, are still on the table. They haven't been addressed in full. Again, I say that the vehicle of a municipal referendum in an age of political life where public participation has become, I don't want to say simply in vogue but in fact very appropriate in certain circumstances—I believe this is one of those circumstances.

I would urge the government to reconsider. By the time we come to vote, when we stack the votes on this, there may be an opportunity for the government to reconsider. I would urge people, backbenchers in the government, to really think this through. What we're saying and what the member from the third party has said in his amendment, which I again indicate that we drafted in concert, is that as you go to municipalities, put the question to them in whatever format the city leadership would like that is appropriate with the municipal elections laws. That opportunity is but a year away and it would afford an opportunity for a full and complete discussion.

The municipalities that are targeted currently by this government for casinos—let's be candid about that. There are at least five locations that are being con-



sidered by this government, and I suspect others as well. Those communities know where they are, and I think they can deal with the issue in a very concrete and definitive fashion, given the opportunity for a municipal referendum.

**Mr Arnott:** I'm pleased to rise this afternoon and speak in support of the amendment put forward by the member for Parry Sound, which, as I understand it, would require the government to have a referendum prior to the establishment of a permanent casino. I think this amendment makes eminent good sense.

When we look at many of the jurisdictions across North America which have established casinos, most in the United States have allowed for a local referendum before they determined whether or not a local community will have a casino established. I think that precedent is something we should all look at positively.

The gist of the parliamentary assistant's argument appears to be that in the establishment of a number of casinos across Canada there have been no referenda, but I think there is absolutely no reason that we should follow that lead. I don't know how successful those casinos have been, but certainly the New Democrats do not take second place in terms of trying to demonstrate to people that they are a different form of government.

I think the main lesson of the constitutional referendum we had last year in Canada was that people want a greater say. They don't want to see deals brokered in back rooms any more. They want a greater say in decisions that affect their communities. Without question, the establishment of a casino will radically alter the community, wherever it is established. The government knows that; the parliamentary assistant knows that. I cannot understand and I cannot accept why the government will not allow the people of that community an opportunity to have a direct say in whether or not their community is changed in this way.

I would ask the parliamentary assistant to reconsider the decision that he has indicated this afternoon, that he's going to oppose the referendum. I think it's very important that the government give the people of Windsor and any of the other communities that may have a casino proposed an opportunity to have a direct say in whether or not that casino is established.

1620

**The First Deputy Chair (Ms Margaret H. Harrington):** Any further debate?

**Mr Duignan:** Very briefly, to my very good friend the honourable member for Brampton North and indeed the member for Wellington, I'll point out again that section 5.1—we're proposing the amendment—gives that say to the local community and to the local council. If there's enough pressure put on the local council, the local council will say yes or no, and in fact it can put a question on the ballot.

**Mr Stockwell:** It just seems this government picks and chooses what decisions it wants to allow local councils to make. If they're allowed to make these local decisions, why can't they make the local decision on basement apartments? They're not allowed to make a local decision on that. You implement basement apartments, you tell them they have to have basement apartments; you're not giving them a local option on that. Then when you get a tough issue like this that you've flipped-flopped on and you've taken all sides of all positions and you know it's not a popular move for a socialist government to do and you're going to get bad press, you say, "Well, let the local council decide whether it's a referendum." Why can you not let them make decisions on all those major issues, then? Why can't they make decisions on basement apartments, if they're big enough, smart enough, fair enough and reasonable enough to know their own constituents to make a decision on casino gambling?

**Mr Duignan:** I can't understand the honourable member for Etobicoke West; indeed, most people can't. However, I will point out that a few minutes ago he wanted a province-wide referendum and now he's opposed to us giving a municipal option. What exactly do you want? Here we are giving the people of the municipality a chance to have a say about whether they want a casino in that municipality or not, and now you're opposed to that?

**Mr Stockwell:** I didn't get my question answered, Madam Chair. I did not get my question answered. I don't know what the member was blathering about. The question was very clear. If the local council has enough savvy and understanding and concern for what the local constituents want and they can decide whether or not they want casino gambling—let me give you a clear example—why are they not smart enough and confident enough to decide on basement apartments and what their constituents want there? You're forcing them into implementing the Planning Act. Why that and not this?

**Mr Duignan:** Maybe that's a good question for question period. Why don't you direct that question to the Minister of Municipal Affairs and the Minister of Housing? Right now we're dealing with the casino bill, and we are giving that option to the local municipalities.

**The First Deputy Chair:** The member for Parry Sound, if you'd like to stand up, you could be recognized.

**Mr Eves:** Thank you, Chair. I've listened to the debate among several members here with respect to our amendment, and I would like to say to the parliamentary assistant that in his response, as some of the rationale or reasoning he gave as to why the province wasn't proceeding with a municipal referendum with respect to casinos, he rhymed off four provinces in Canada. But he will certainly know that in the province of Manitoba, for example, the only casino in the province of

Manitoba is I believe in the Fort Garry Hotel in Winnipeg, and it is quite a small venture in comparison to what the province of Ontario is proposing. It is also totally owned and operated 100% by the province of Manitoba. He will also know that casinos in Alberta are entirely owned and operated by the province of Alberta. He will also know that casinos in British Columbia I believe are operated by and for the benefit of charitable organizations within the province of British Columbia. So although he is quite correctly pointing out what four other provinces have done—I can't comment, quite frankly, on the province of Quebec because I don't know exactly how its system is working—I do know of three of which I speak. It is somewhat different and they are on a much smaller scale per se than what the province of Ontario is proposing here for the city of Windsor as its first casino project.

I might also point out that in almost every other jurisdiction in North America in which casino gambling has been adopted, there have overwhelmingly been referendums or plebiscites in those states or municipalities within those states where casino gambling is being proposed. As a matter of fact, as has come out several times, especially during the hearings in Windsor and other places, the city of Detroit in the state of Michigan I believe has rejected casino gambling in its jurisdiction, I forget whether it's three or four times.

It's fine for him to say, "Well, what happened in these four provinces?" but in three of those provinces, really we're talking about a relatively small casino on the scale that perhaps the B'nai Brith Foundation operates on here in the province of Ontario.

**Mr Anthony Perruzza (Downsview):** How can you argue against referendums?

**Mr Eves:** I'm not arguing against them; I'm arguing in favour of them.

**Mr McClelland:** That's the whole point.

**Mr Eves:** The whole point is that I am proposing referendums. The government will not accept municipal referendums with respect to casino gambling. That is exactly the point that's being made.

The parliamentary assistant says, "Well, we're somewhat addressing that concern by our amendment to section 5.1 of the bill," which you've stood down until section 19 is dealt with. I understand the parliamentary assistant and the government's proposal in that regard, their proposed amendment to section 5.1. However, I would say to him and to the government that this is fine as far as it goes, but it really is not a referendum. One public meeting with 15 days' advance notice and no action by a municipality for seven days does not exactly equal giving every adult resident in that municipality a say in whether or not he or she wants casino gambling in their municipality. I don't think you can exactly equate the two.

Also, if I might say to the parliamentary assistant, the

government goes even farther than that and it exempts the city of Windsor from even that requirement.

**Mr Stockwell:** Windsor doesn't have to have a public hearing?

**Mr Eves:** No, that's being exempted because the city of Windsor has already dealt with theirs without having a public meeting. The government is proposing that this new section 5.1 will be fine for every other municipality that might want a casino in the future, but it's not fine for the city of Windsor, where we're going to put our first casino, because the city of Windsor has already had a council meeting in which, to be fair, municipal council has I believe unanimously endorsed the proposed concept of casino gambling in the city of Windsor.

However, that does not equate, I say again, with all due respect to the parliamentary assistant, to a referendum or a plebiscite, whatever terminology you want to use: a say that every person or resident who's an adult and of voting age has in the municipality in which you propose to locate a casino. I think the venture that the province of Ontario is undertaking is a very substantial one indeed, if you attended any of the hearings, the groups that came forward, including your own Coopers and Lybrand report. We're talking about a very significant investment here of somewhere in the neighbourhood of \$300 million to \$400 million for the casino project that we're talking about in the city of Windsor. Indeed, that is far in excess of anything they have in at least the three western provinces.

And there's really the social aspect of this as well. There are other concerns. I don't want to bring in other sections of the bill except to say that there are numerous societal concerns that have been raised throughout the public hearing process and throughout the clause-by-clause process in committee, and amendments have been made by our party and by the Liberal Party of Ontario as well to try and address some of those societal concerns in the legislation. The government says: "We don't want to amend the bill to address those concerns, but trust us: We're looking at them. We'll take them into account in the future when we see how the Windsor operation goes. Trust us: We'll do something about gambling addiction. Trust us: We'll do something about social assistance. Trust us: We'll do something about law enforcement." But they don't want them enshrined in the legislation or the regulations. I find that somewhat disconcerting, and I think the people who are residents of municipalities in which the government proposes to locate gambling casinos should find them somewhat disconcerting as well.

There are amendments with respect to giving municipalities direct revenue sharing in the proceeds from casinos that are within their municipalities. Again, the government has rejected those amendments in committee.



So it's with some concern—and I think this goes to the crux of the issue. I think the government would be well served, in fact the government could support its case, especially in the city of Windsor, by holding a referendum or a plebiscite and getting that overwhelming confirmation as to whether or not the residents in that municipality want to see a casino gambling project, as proposed by the provincial government, in their municipality.

1630

**Mr McClelland:** Mr Eves, the member for Parry Sound, makes a very interesting point. I don't say this to be picky, but I'd like to make a correction or a qualification of something Mr Eves just said.

Mr Eves has said on the record—and this may elicit some response from him because I say this, I hope, in a helpful fashion—that the city of Windsor council has unanimously endorsed the idea of a casino. That in fact is true. I hasten to add there are some qualifications on that, and I think it's very important because it speaks to the whole issue of a municipal referendum with respect to gaming.

The city of Windsor said it wanted a casino, but it put on a few qualifications, and Mr Eves has mentioned one of them. One of the qualifications was that there be some direct benefit derived to the city. As Mr Eves has indicated, I introduced amendments that would have provided that opportunity, a regulatory scheme would set up a formula or formulae across the province, as the case may be, to render to the city sufficient funds to pick up the costs associated with the operation of the casino. Make note, and there's no question about it, there will be costs associated with the casino, very significant costs, one might add.

I would like to put the question again to city council. The answer may be the same, but would they still support it, given the fact that the government is not prepared to allow them to have any direct benefit? Would they support it, given the fact that throughout this process the government has virtually ignored the city's input? Would they support it, given the fact that the proponents who came forward and said, "We want a Windsor component; we want a made-in-Canada component to the proposal," have been effectively eliminated from the list and all we have remaining are Las Vegas-style casinos?

In the first instance, the government said: "We will have a made-in-Canada type project. It will address concerns of the city. We will have the city involved." The fact of the matter is that the city has not received the opportunity to have benefit directly accrued to it. The amendments put forward by both opposition parties were rejected out of hand by the government, and they will not see financial return in a direct way to cover the costs associated with the operation of the casino.

Moreover, the government also said at the outset:

"Trust us. We're going to go with a Canadian-style"—whatever that means—"project in Windsor. It will not be the glitz and the glamour and all the problems associated with the Las Vegas and New Jersey type casinos." But what do we have in the final instance? The proponents who came forward and said, "We want to work with labour in the city of Windsor; we want to have a component of Windsor management in this," have been ignored. You can ask person by person on city council, and the mayor, and I would suspect they would say: "We weren't really consulted in terms of the selection process. In fact, not only were we not consulted, the concerns we had were virtually ignored."

I suspect there would be a different response now on city council in Windsor, in cities that would be looking at what happened there in terms of the process, than there was beforehand, because what happened was this: There was a project put up in terms of a theory of how we were going to do this, and when it came to reality the rules of the game changed along the way, and they changed significantly.

They changed most significantly, I would say to you, Madam Chairperson, with respect to the Canadian and the made-in-Canada component and the Windsor component to the project. That was virtually ignored, and I think any objective analysis of what took place would substantiate the position that they were ignored. The city of Windsor was ignored in terms of the selection process and it was not given the revenues.

I say to my friend the member for Parry Sound, yes, they did, the city did endorse it, but I suspect now that you'd have a different response. I think that's why it's critical that municipalities be given the opportunity to hear the whole story and not part of it. I'll tell you this: The people in Windsor would say: "Now we're seeing the rest of the story. Now we're seeing how the government is really going ahead with this process and it has not been dealt to us the way we were told it would be in the first instance."

**Mr Eves:** The only comment I would like to make is that the comments the member for Brampton North makes are quite accurate. I don't believe the council for the city of Windsor really understood all the ramifications. They certainly were in favour and I presume still are in favour of the concept of a casino owned by the province in the city of Windsor.

However, having said that, the mayor of Windsor, several councillors and numerous officials, both private and public, appeared before us during the committee deliberations in Windsor, the hearing process, and they unanimously, I believe I'm correct in saying, asked for some direct municipal revenue-sharing in the proceeds from the casino in their own municipality.

There are going to be many societal problems. There are going to be law enforcement problems. There are going to be costs that the city's going to have to endure

as a result of the project being located there.

Now, the government, to its some credit, has indicated that it's prepared to look at the law enforcement costs. It has indicated that it's prepared to talk to the city about what degree of extra financial compensation or resources will be needed to address the law enforcement problem. However, that is somewhat different from the municipality getting a direct share of the revenue itself and being able to satisfy itself that it can deal with its problems itself that are a result of the casino project being located there.

I would think that not only the people on city council in the city of Windsor but indeed the residents of the city of Windsor would want to know that they have a say in the type of casino that's going to be there, in the societal problems that are undoubtedly going to arise as a result of the casino being there as well as the concept of a casino in the first place. I think those are some very significant considerations, which again give further credence to supporting the basis for a referendum or letting the people decide in their own municipality.

**The First Deputy Chair:** Any further comments? Seeing none, Mr Eves has moved an amendment to section 5.2. Is it the pleasure of the committee that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion will be please say "nay."

In my opinion, the nays have it.

The vote is stacked until the end of the bill.

Mr Eves, I believe you have a further amendment.

**Mr Eves:** Yes. I gave to the clerk of the committee earlier a package of proposed amendments. I would like to withdraw the amendment with respect to subsection 5.2(1) that I gave to her, which is simply a paragraph about a referendum in municipalities, because it really is redundant to the one we've just been debating.

I would like to introduce an amendment. I apologize for having done this at the last moment, but this really is exactly the same amendment I introduced in the standing committee which deals with the idea of a referendum, except that in this case it's a province-wide referendum. It is an alternate amendment to the amendment which I just—unfortunately I don't know what the result of that vote is going to be, although I can guess. I would like to introduce this alternate amendment with respect to section 5.2.

I move that the bill be amended by adding the following section:

"Referendum required

"5.2(1) The corporation shall not provide for the operation of a casino in any location until the operation of casinos has been approved in a province-wide referendum.

"Chief election officer

"(2) The chief election officer shall be the chief election officer for the referendum.

"Question

"The question put on the referendum ballot shall be in English and French as follows:

Are you in favour of gambling casinos being operated in the province of Ontario under the Ontario Casino Corporation Act?

"Conduct of referendum

(4) The chief election officer shall conduct the referendum in the manner set out in the regulations made under this act."

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There's no point in elaborating much further, quite frankly, about the referendum issue. We're still debating the same principle and the same issue. If the government doesn't wish to have municipalities in which it wants casinos located decide this issue by way of referendum or plebiscite, this amendment is simply to let the provincial government take the initiative to have one province-wide referendum so that the people of Ontario can decide whether or not they wish to have gambling casinos in the province of Ontario, as indeed many states in the United States of America have done and other jurisdictions have done with respect to gambling casinos.

**The First Deputy Chair:** Any further comments to this amendment? Seeing none, is it the pleasure of the committee that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the nays have it.

This vote will be stacked till the end of the bill.

Any other amendments? Mr Eves, I believe you have a further amendment.

**Mr Eves:** Section 5.3: I'm going to be withdrawing this proposed amendment. Suffice it to say that the reason for prompting this amendment in the first place had been, and there still is, a great deal of questioning going on. In fact we had some questioning going on in the House about the proposals that have been submitted to the province of Ontario, nine initially, which have been reduced to four.

There also have been some questions raised by myself and others, most notably the member for Brampton North, about the four final proponents that have been put on the short list and whether or not they were given some privilege of revising their proposals before they were submitted. However, perhaps the amendment that I had proposed is a rather drastic step in that it would require the province to lay before the



Legislative Assembly the proposed final contract and have the Legislative Assembly approve it.

Really, the amendment was drafted somewhat out of frustration in that the minister has steadfastly refused to agree to make public all nine proposals at the end of the day, including of course the successful one, so that at the end of the day the public and others can judge for themselves whether or not all bases were covered, so to speak, and all concerns that many people had, including the proponents themselves, had been addressed.

I think it's very important to make sure that this has been a fair and equitable exercise throughout and that it is there for the public record for everybody to see.

**The First Deputy Chair:** Mr Eves, you have withdrawn your amendment to section 5.3?

**Mr Eves:** Yes, I have.

**The First Deputy Chair:** Thank you. We move to section 6. Are there any amendments to section 6?

**Mr McClelland:** I'd like to go back to section 5.3 for a moment, if I may please, Madam Chair.

**The First Deputy Chair:** The amendment has been withdrawn.

**Mr McClelland:** Yes, I understand that. In light of that, as I say, that changes the lay of the land somewhat. I would like to propose an amendment in light of the fact that it has been withdrawn.

**The First Deputy Chair:** It would be unusual to comment on an amendment that has not been made. If it is agreeable to the committee, we would allow you to do so.

**Mr McClelland:** I would like to introduce another amendment in light of the fact that it has been withdrawn.

**The First Deputy Chair:** Is it agreeable? Okay. Do you have that in writing?

**Mr McClelland:** Unfortunately, I was drafting it at this moment. I think legislative counsel is somewhere in the wings and might help. I would have section 5.3 and I would move that the bill be amended by adding the following section. It would be subtitled, I suppose, "Tabling of lease arrangements." Forgive me, Madam Chair. I know I'm taking a fair bit of latitude here, but I would have it read as follows:

"5.3 The minister shall lay before the House the lease entered into with the landlord of the interim casino site."

I think that effectively sets out what I'm looking for. I will draft that in handwriting and try to pass it down to the clerk.

I would move that the bill be amended by adding the following section:

"5.3 The minister shall lay before the assembly the lease between the province of Ontario and the landlord for the interim site."

**The First Deputy Chair:** Excuse me, to the member. We do need to have that in writing to the table. If you would care to, we could stand down that section until you have that available.

**Mr McClelland:** We'll stand it down then, and I'll proceed as expeditiously as I can to put it in the appropriate writing. Again, with your indulgence, if I could have the assistance of legislative counsel, who I know are just in the wings, they may in fact pick up on what I've said and help with the drafting thereof.

**The First Deputy Chair:** Do we have consent to allow the committee to come back to section 5.3 when the amendment is ready? Agreed.

We will move ahead to subsection 6(3). I believe there is a Liberal motion.

**Mr McClelland:** This is subsection 6(3).

I would move that subsection 6(3) of the bill be amended by striking out the word "nineteen" and replacing it with the word "twenty-one."

**The First Deputy Chair:** Are there any comments?

**Mr McClelland:** Similar to other amendments, we debated this at considerable length in committee. I want to advise members of the House and those who might be watching that the genesis of this particular amendment was in fact concerns expressed not only by official representatives of the city of Windsor, the mayor and others, but as well by the chief of police.

I note with interest—and I could but I will not read at length—that Hansard of October 8, at which time we discussed this particular amendment in committee, set out a number of arguments by a number of members of the committee. One of the more interesting ones—and I'm glad he's here today because I'm always loath to comment on statements made by my colleagues on the other side of the House when they're not present—was by the member for Windsor-Walkerville.

He spoke at length, and it appears in the Hansard of the standing committee on finance and economic affairs on page F-717. He spoke at length about the appropriateness of having the amendment accepted by the government. The city expressed its concerns; the chief of police expressed a number of concerns. In short, what the amendment would do is require a person to be 21 years of age to gamble in the province of Ontario. I'm not sure I can do it justice, quite frankly, but if I can try and summarize, the rationale given by Chief Adkin of the city of Windsor was as follows.

We have a different set of laws, obviously, in Ontario than they do in Michigan. It is stated quite plainly and quite clearly by the casino project and consultants that they wish to draw significantly upon the American market. In point of fact, some would suggest that an 80% market share drawn from Michigan would help the numbers—in other words, the return—of the casino project, so there will clearly be an attempt to draw

people over from Michigan to gamble in the city of Windsor. I would suspect that there will be advertising; there will be packages and the usual course of marketing. That market is central to the success—not only Michigan but, I might add, throughout Ohio and swinging down within an approximately 300-kilometre radius of the city of Windsor, which would pick up obviously Ohio and parts of New York, I believe, as well.

1650

I'm sure the problem that ensues or is anticipated by the chief of police is as follows. They would tell you—and I can only go by their experience, and far be it from me to question the experience of somebody as astute as the chief of police of the city of Windsor—that what happens there is that they draw a tremendous number of young people from the state of Michigan who, quite frankly, haven't had the experience of drinking. Let's just tell it as it is. They come over to Ontario because they can drink earlier than they can in Michigan. There's no sense of education or responsibility, that component that I think, and I say this quite candidly, a number of governments have tried to institute in the province of Ontario in terms of consuming alcohol. I might add parenthetically that it's not just the government of the province, but that in fact breweries and distilleries have taken some very, very significant steps in trying to tie responsibility to the consumption of alcohol in this province.

I'm not aware of any like programs—I'm not saying they don't exist—in the state of Michigan, but the fact of the matter is that in the experience of the city of Windsor, as shared with us by the police chief and other civic leaders, they often on weekends have serious problems with young persons who come over from Michigan and drink heavily in a short period of time. They come over and, to use the vernacular, go on a bit of a binge in Windsor because they can do it here and they can't do it back home. That leads to all kinds of problems, and the police will tell us they have an inordinate number of calls for assistance in drinking establishments in the city of Windsor related to that particular scenario I just set forth.

The chief of police said it would provide him and his police force with a significantly greater level of assurance to have the participation in casinos linked more closely to or in line with the drinking age in the state of Michigan. It seemed to us that this is a significant request by the chief of police of Windsor that speaks to the quality of life for citizens in Windsor and, more importantly, the ability of the police to do their job.

The chief has said that he is concerned that he will already be taxed to the limit in terms of what resources are made available for the women and men who serve in his police force with the advent of casino gambling in Windsor. He sees it as potentially problematic to draw a particular age group that is already causing

difficulties in his city. That is his evidence as put before the committee and corroborated by the mayor and others. They, in their wisdom, felt it important enough to come to the committee and ask for a specific amendment.

The parliamentary assistant has said: "You can't really justify an amendment like that. You have to have some sort of rationale for it." I would suggest that surely the rationale that I would want to act on is a request from the senior law enforcement officer for Windsor, supported, as I said, by the civic leader of that town, the mayor.

The member for Windsor-Walkerville said: "The chief speaks from a great deal of experience. I've shared some of that experience as well. I've gone out with the police in the city of Windsor on a Saturday night. I've travelled around with them and I've seen the sorts of problems that are caused by young people who come over to Windsor and consume too many alcoholic beverages and, for whatever reasons, decide to beat each other up in parking lots. I don't understand the basis for that sort of activity or why people find that entertaining, but that is what happens in the city of Windsor."

The member for Windsor-Walkerville goes on and speaks again about the experience of the police and the fact that he feels, as a representative of that city, that it's important to give the police the tools they feel they need. I thought we might get some support from the government on that. The way the numbers broke down—and I don't say this to embarrass the member for Windsor-Walkerville, but at the end of the day the government brought out the minister's staff and others and prevailed upon the member for Windsor-Walkerville, notwithstanding what he said in committee, to vote against that amendment. I can only ask that he and others of his colleagues in government reconsider at this point in time and subsequently when we vote on the stacked vote.

It seems to me that we went to committee with the idea, in good faith, of listening to people. The only evidence we heard with respect to this issue was in favour of this particular amendment, and that evidence, I would submit to my colleagues in this House, was from somebody who I think is eminently qualified to make the recommendation that was made.

I would only hope the government would reconsider, not necessarily the amendment that I'm putting forward, but, I hasten to add, that I'm putting forward on behalf of the chief of police of the city of Windsor and all of the women and men who work under his leadership, and the request made by the mayor and council of Windsor. It's interesting to note that the rationale given by the parliamentary assistant for some of the amendments was, "The reason we're doing it is because Windsor wants it" or "Windsor needs it."

We will hear, either later today or tomorrow, some



discussion on a very contentious amendment with respect to section 19. The rationale that will be given at that time, I predict, will be that the city of Windsor wants it, and that makes it okay. We'll get into the arguments pro and con for that at the appropriate time. Surely if that is sufficient rationale—"Because the city wants it"—on something that I would say is much more controversial and much more problematic, that rationale should substantiate the support of the government members on this amendment. We are asking the members of the government to do what the city wants, what the police want. He may wish to speak and he's more than capable of speaking for himself; one of the members, the very well-respected member for Windsor-Walkerville, said it was appropriate for that city.

I would ask members to reconsider and support this amendment that would require, at least for a period of time, if the government wishes to amend it and put a time frame on it so there would be an opportunity to monitor it—allow the city of Windsor to have its request to have the age of gambling be 21 to try and pre-empt some of the problems that are anticipated by, again, somebody I think is eminently qualified to comment on that issue; namely, the chief of police.

At the risk of sounding trite, it's often said by, I'm sure, most of our families and friends and elders that from time to time an ounce of prevention is worth a pound of cure. I think this is the kind of preventive measure that we really need to take and be careful if the government is bound and determined to go ahead, as it seems that it is, with this project at this point in time.

**The First Deputy Chair:** Are there any other comments on the amendment put forward by Mr McClelland?

**Mr Eves:** I would just like to briefly comment on this amendment. We have a very similar amendment which we will not be moving in light of the Liberal amendment, because there's no need to duplicate, as indeed was the same situation in the standing committee.

Section 6 is a section that has received all kinds of attention during committee deliberations. Subsection (1) was amended and the government accepted our amendment on that. Indeed, compromise amendments to subsections (5) through (8) were also reached in the committee as well.

I think the member for Brampton North is quite correct when he says the only evidence we heard during our committee deliberations both in the city of Windsor and indeed in Toronto as well, but especially in Windsor, because the chief of police made it a point to come before the committee on the very first day—he asked for several things. One, of course, was support with respect to law enforcement as a result of the casino project. But also, very significantly I think, he addressed the issue of the age and asked that the committee

consider raising the age from 19 to 21.

We also heard exactly the same evidence given by the mayor of the city of Windsor and indeed several other people in the community who were very supportive of the chief of police's request and the mayor's request to raise the age for persons allowed to gamble in the casino from 19 to 21 years of age.

We did hear from the government on this. They advised that it was—I don't want to put words in their mouth, and I'm sure the parliamentary assistant won't let me do that, and he'll be up in a few moments to speak on behalf of the government. But the government seems to be taking the tack that unless there is some extraordinary reason why you would move the age limit from 19 to 21, perhaps such an amendment would not stand the test of jurisprudence or would not stand some judicial review.

I think the evidence that's been put forward by both the chief of police and the mayor of the city of Windsor, as well as numerous other witnesses before the committee, certainly speaks volumes to the need for such an amendment. I would certainly hope the government would reconsider its position, which I think is a very non-partisan matter but a very important matter to the people of Windsor and the operation of the casino project over time in the city of Windsor.

1700

There were a couple of Windsor members from the government side who sat in through the committee deliberations, and I speak of the member for Windsor-Riverside and the member for Windsor-Sandwich. I believe they were there and heard the testimony given by the chief of police and the mayor, as well as several other witnesses. I didn't hear any witness say that he or she thought it was not appropriate and to leave the age limit alone at 19. There may have been one, but the overwhelming majority were in favour of raising the age limit, and I would certainly like to hear from the parliamentary assistant with respect to this amendment being moved here today.

**Mr Duignan:** On this whole question of raising the gambling age from 19 to 21 in relation to casino gambling, first of all, the government is in deep sympathy indeed with the police chief and the mayor of Windsor about some of the problems that are caused, particularly on the weekends, with excessive drinking with people who apparently come from Detroit. However, I think the honourable member for Wilson Heights hit it on the head in the committee when he said it wasn't gambling-related, that it was alcohol-related and that that was the problem.

I draw members' attention to the fact that Dr Ron Ianni—he's president of the institute of policy analysis in the University of Toronto—when he was asked that question by the honourable member for Brampton North, in his reply states:

"In this day and age, the control of young people is obviously problematic, but given their exposure to television and everything, I'm not quite sure that you can merely close your eyes to it. The difference in this day and age between 19 and 21 I'm not sure is as significant as it might have been in earlier days. I think people mature much more quickly and are exposed to many more diversions, distractions and, might I say, evils than might have ever been the case in earlier times. I'm not quite sure you can shelter those people from it, and once again it may be that the educational institutions, including the high schools, are going to have to do some work, and we may have to of course cooperate with our neighbours in the United States to make sure that whatever programs have been developed are made available on both sides of the border."

Then again, I think at that point in the committee I filed a letter with the committee in relation to the legal question on the question of raising the age limit, and the letter was from the deputy minister on that particular question. For the benefit of those members who were not on the committee, and indeed for the people who are watching these proceedings this afternoon, I would like to read part of that letter from the deputy minister:

"The charter guarantees equal protection and benefit of the law without discrimination on the basis of age. The age of majority is 18. There are many laws which draw distinctions on the basis of age. Currently in Ontario the age of 16 is set for driving and withdrawing from parental care. The age of 18 is required for voting, contracting and for gambling outside of casinos, and a higher age of 19 has been set for the drinking of alcohol."

I think reference was made to the Offer committee, which toured the province at that particular time and consulted widely with the whole range of interested parties.

"The drinking age was at that point raised to 19, based on extensive data that justified the action.

"We also believe that any departure from the age of majority required in other contexts has to be justified by the government as being reasonable. This justification requires evidence to support the government's stated objective.

"In addition, certain jobs in the casino require that the employees in effect play games of chance as agents of the house. This includes blackjack dealers, baccarat dealers and other table games. If individuals under 21 are not permitted to gamble in a casino, this would also exclude 19- and 20-year-olds from these jobs.

"In order to justify drawing the line at age 21, the government would have to demonstrate that 19- and 20-year-olds, while mature enough to do everything else, including gambling at racetracks, bingos, charitable casinos and lotteries, are not mature enough to gamble at casinos. In the absence of such evidence, there is real

likelihood that a higher age limit would not be justified under the charter."

That is the problem we have. We feel that if we raised the age from 19 to 21, we would face challenges not only under the Charter of Rights but indeed under the Ontario Human Rights Code.

**Mr McClelland:** I didn't think I'd debate it at quite the length, but the parliamentary assistant brings up a couple of interesting points. First of all, far be it from me to question my former dean of my law school, now president of the University of Windsor, with respect to his opinion, but I say with respect to Dr Ianni, as you read it into the record, that that's his opinion, and there's an opinion of somebody equally prominent in a position of leadership in that community who says the age of 19 is a problem.

The parliamentary assistant will stand in his place and say that the government has to justify it, that it's the job of the government to justify it. I say to the parliamentary assistant, then get the government to do the work, to do the job and to justify it. If you have concerns, pursue the matter with the chief of police of Windsor and other law enforcement officials. Take his testimony, put it before the minister, put it before the ministry to determine whether or not it is viable. To dismiss it out of hand and say, "Well, we will have some challenges; it's problematic" is quite frankly a frivolous argument.

Government is based on leadership and taking positions and dealing with those challenges. Visit the issue, talk about it and solicit the kind of expert advice that may, if you did your homework, support the position of having the age of 21 as being the appropriate age.

Dr Ianni did not say and the letter you read did not say it would be defeated. It said it may be a problem. The flip side is that it may be supported. The courts may very well support it and say it's a reasonable limitation put by a competent government in terms of its jurisdiction.

It begs the question to say, "We might have some difficulty with it." If you have some difficulty with it, deal with it. If there's evidence put forward by somebody who has the expertise who deals with it on a day-to-day basis in the community, namely, the chief of police, surely that is some evidence that leads you to a conclusion that there is a rationale or a defensible rationale for the intrusion. You can't simply say, "It may come before the Ontario Human Rights Code and it may be challenged under the charter." Yes, it may be, but it may be sustained as reasonable under the charter and appropriate under the Human Rights Code.

I say to the parliamentary assistant, you can't dismiss it out of hand by saying it'll be difficult. My goodness, you wouldn't even have begun this project if you had to throw it all out because you're having difficulties all over the place. Your minister is scrambling from day to



day in terms of managing this issue. She can't get a lease together in time and there are all kinds of problems. You're having difficulties, so you deal with it. That's the responsibility of government and the responsibility of the minister.

I say to the parliamentary assistant, don't dismiss it out of hand by saying you'll have difficulties. Address the difficulties. Is it a good idea? Does it make sense? Does it maybe make sense and prevent some problems in the community? Are you prepared to risk something in terms of security and difficulty in law enforcement, as put forward by the chief of police, because it may cause you some problems? Apparently you are.

I say that the people of Windsor and the people of this province expect and should expect a greater degree of responsibility from the government, to say, "We will try and deal with it and we'll canvass the issue and we'll get into it in some substantive manner," and get the evidence you need to support it, or at least commit to doing a comprehensive review of the law, and go out there and get some evidence that would at least allow you to make—I say this with respect—an educated statement with respect to the viability of the proposed amendment than simply to dismiss it and say, "We're going to have some difficulties, so we're not going to do it."

**Mr Duignan:** Just very briefly, we have great sympathy with the police chief of Windsor, indeed the mayor of Windsor, and some other border cities too like Niagara Falls, and indeed on the Quebec-Ontario border, we look at the Hull-Ottawa issue where it's in the reverse situation where the borders are open there at 3 o'clock in the morning.

The question is not gambling-related, it's alcohol-related, and the honourable member for Brampton North understands that alcohol will be available in casinos. It will not be available on the floor of the gaming area, but people 19 and over will still have the right to go into the casino to drink if they wish.

I also extended an offer to the opposition at that point, at the committee hearings, that if it could provide extensive data, such as the Offer committee did, we would be willing to give it to our constitutional lawyers to review. Our government feels at this time there isn't substantial evidence to move the gambling age from 19 to 21.

1710

**Mr McClelland:** Let's get real here. You're the government. Don't ask the opposition to come out with the "extensive data." You do it. You've got the resources, you have the legal department and you've got literally dozens upon dozens of staff at the ministry to take a look at it. Quite frankly, to suggest that it's incumbent upon the opposition to do a legal analysis is absurd. You have before you, as I said before, evidence submitted by the chief of police. Act on that, do some-

thing about it and you get the data. You do your job as government.

**Mr Duignan:** We're going back and forth all the time. As I stated, we feel at this time there isn't sufficient or substantial evidence to move the gambling age from 19 to 21 in casinos.

**Mr Eves:** Just very briefly, the member for Brampton North I think has a valid comment in that the government is indeed the government. It is their responsibility to determine whether or not it is appropriate to look further into the fact of raising the gambling age from 19 to 21. There was one individual who appeared before the committee who said that was perhaps not needed, and the parliamentary assistant has read extensively from his remarks. I just wonder why the parliamentary assistant hasn't read very extensively from the remarks of all the witnesses who appeared before the committee who were overwhelmingly in favour of raising the age from 19 to 21.

He seems to be using that particular bit of evidence or testimony before the committee as the logical rationale for his support not to raise the limit. But it would seem to me that if you have figures meaning nothing, 19 people appearing before the committee, one of whom is the chief of police in the city of Windsor, another of whom is the mayor of the city of Windsor and numerous other significant people in the city of Windsor, and one significant person in the city of Windsor says it's not necessary, the overwhelming evidence is 19 to 1, or whatever that figure is, in favour of raising the age limit.

It would seem to me that if the government is assuming its responsibility as government, it should be doing some fact-finding and research of its own to see whether or not raising the age limit is indeed warranted and whether the chief of police and the mayor and numerous other officials from the city of Windsor and numerous other public and private individuals in the city of Windsor have a valid point that the age limit should be raised from 19 to 21.

It would appear to most of us having sat on the committee, and even I might say to the member for Windsor-Riverside who spoke at some length, and I thought quite well, in the standing committee during clause-by-clause in support of paying adherence to these numerous people from the city who appeared and requested that the age limit be raised from 19 to 21—it would seem to me as if the government is just saying to itself, "Well, that's too difficult an issue for us to tackle and we couldn't be bothered going around doing our homework and finding out what indeed the facts are, so we'll just rely upon the testimony of the only individual who didn't want the age limit raised." It seems to me that just isn't, quite frankly, good enough.

**Mr David Tilson (Dufferin-Peel):** I haven't heard the first part of this debate, but one of the concerns I

have when you start talking about age—in my riding we have just gone through a coroner's inquest with respect to the age limit on drinking, the age limit on driving, and obviously, the people in my riding, rightly or wrongly, have felt a great deal of concern about that specific issue.

I quite appreciate that this has nothing to do with gambling other than the fact that it should draw to the government's attention that before you get into something like this, you should research it properly. I gather there have been very few, if any, statistics done—

**Mr Bisson:** Did they do research on free trade? Did they do research on the GST?

**Mr Tilson:** I'm simply saying that you just don't go in with a blindfold over your eyes and say, "We're going to pick a particular age." There are other jurisdictions around this world, in North America, that have studied specific ages and it doesn't sound like, as in all other matters with respect to gambling casinos or casino gambling in this province, the government has looked at that. They simply said, "We're going to have a gambling casino, a pilot project in Windsor, and how we do it we're not too sure, but we're going to go ahead and we're going to sort of go through trial by error."

I guess my point is that we should be taking the example of these tragedies, the fact that there are problems over age limits. I quite appreciate that has very little, if anything, to do with gambling casinos other than it's drawn to the government's attention. Before you get into that, let's have some studies. Let's look at it rather than just simply blindly go ahead and pick an age.

**The Second Deputy Chair (Mr Noble Villeneuve):** Further debate? Seeing none, Mr McClelland has moved an amendment to subsection 6(3).

All those in favour of Mr McClelland's amendment, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

The vote will be stacked and dealt with at the end.

The member for Brampton North has just penned a further amendment to section 6. It is presently in the process of being photocopied so that the parliamentary assistant and the two opposition parties have a copy of Mr McClelland's amendment.

Do we have unanimous agreement then to move on to the amendment we now have before us, Mr McClelland's amendment to section 6.1? Do we have unanimous consent?

We are now satisfied that we have copies and we will return to the amendment that's presently being photocopied. The member for Parry Sound does not have a copy.

**Mr Eves:** Do we have an extra copy of the amendment?

**Mr McClelland:** Mr Chairman, thank you for your indulgence. I understand we're dealing with section 6.1 at the present time.

**The Second Deputy Chair:** Yes we are.

**Mr McClelland:** I move that the bill be amended by adding the following section:

"Liability for casino operation

"6.1 All contracts entered into between the corporation and an operator of a casino shall be deemed to contain provisions stipulating that:

"(a) the operator shall be solely responsible for an operating deficit; and

"(b) the corporation shall not assume any debt or liability resulting from the operation of the casino."

**The Second Deputy Chair:** Mr McClelland has moved an amendment to section 6.1. Dispense? Agreed.

**Mr McClelland:** Let me at the outset say that this amendment is largely as a result of concerns raised not exclusively—I don't think you'd want me to suggest that—but largely raised, I think, given a fair bit of air time, if you will, by Mr Phillips, the member for Scarborough-Agincourt.

The essential point of this amendment, quite frankly, is to make sure that the taxpayers of Ontario don't get stuck with any bills. I suppose that's a very direct—I don't think crass—but very direct way of saying it.

We felt it was necessary to protect Ontario taxpayers from picking up the tab for any losses that would result from the operation of a casino. Regrettably, I say that the government members in committee rejected that.

We wanted to make sure the government of Ontario would not be, at any point in time, called upon to bail out any casino. We wanted the government to have as a part or a stipulation of the contract that all operators of a casino would guarantee that the province in the final result, in other words the taxpayer, would not be responsible for any losses.

1720

We would not want to suggest that the government of the day is prepared to gamble on casinos with taxpayers' dollars, but I guess that's what they want to do. They say in the final analysis, "Don't worry, we'll take care of it." That's the argument we've heard before. "Trust us on this one. We're going to make sure that we review the contract very, very carefully and that the province won't be on the hook for this one." I would say there's a sense that they're so caught up in this casino fever that they're not prepared to sit down and say, "Let's think this through very, very carefully and make sure we write into the legislation a provision that would require operators to be solely responsible for any operating deficit."

It's interesting to note that the view is: "Don't worry about this. This is a gold mine. This is a cash cow.



We're going to make all kinds of money on this. The operator's going to make money, the province is going to make money, the city's going to make money and everybody will be happy." That's wonderful.

What if, two or three years from now, Detroit goes ahead and establishes not one, but two, three or four, perhaps more, casinos and we find that the draw into Windsor isn't there? What if that happens? What if the operator, for reasons that none can really predict, finds himself in financial difficulty? Bear in mind that there are a number of operations in Las Vegas and New Jersey that are currently under receivership. That can happen. What are we going to do then? Are we just going to say: "That's all right. The province will keep this thing alive and well and keep pumping money into it"?

We have said that we think the operator should state very, very clearly, so that there's no question, so that people know up front, so that municipalities know up front, municipalities that go out and say, "We really want that casino for our jurisdiction," that there will be a contractual guarantee that the taxpayer doesn't pick up the tab if things go off the rails. That may not happen. The government members and the parliamentary assistant would say: "Trust us. This is going to be a gold mine. We're going to make lots of money. Don't worry. We'll be judicious in terms of drafting the contract. We'll make sure that the people of Ontario are taken care of." If that's the case, put it in the legislation.

Do you have some difficulty with saying very plainly, "We're going to make this thing self-sufficient"? If you don't have difficulty, support the amendment. Put it in the legislation.

One of the arguments given in committee was that if you do that, we're going to scare away investment in the province of Ontario; this from a government that has done more to curtail investment in the province than any other jurisdiction in North America. They're saying now, "We're afraid to scare people away," because we want to put in a \$350-million project and make sure that somewhere down the road, the province of Ontario, the taxpayer, doesn't pick up the tab.

I say to the parliamentary assistant and members of the government party that if you're so convinced that you're going to make a ton of money, that everybody's going to come out smelling of roses on this one, then put it in the legislation and live by what you say. Support this amendment. I say again what the member for Scarborough-Agincourt raised at length, time and time again: Ask questions about the economic viability of this project. Ask questions about the modelling that was used, the best-case scenarios that were extrapolated, the types of experiences that were had in New Jersey. Ask those questions over and over again.

I don't want to revisit them all at this point in time. Suffice it to say that it's not all rosy, that there are

some difficulties, that there are casinos that are operating in the red, that are losing money. They're losing money in New Jersey and they're losing money in Las Vegas. As I said, some of them are into receivership. We're not immune from that possibility. I'm not saying it's going to happen; it may happen. In the event it does happen, make sure the rest of the people of Ontario aren't on the hook. If a city is so anxious to get into it, let them deal with the operator. Bring them into the picture and find some accommodation. But don't spread the potential loss to each man, woman and child in the province or Ontario now and for goodness knows how long to come.

#### **The Second Deputy Chair:** Further debate?

**Mr Tilson:** The Conservatives will be supporting the amendment put forward by the member for Brampton North. It is rather astounding that the government is going to be taking a position anything other than what the member for Brampton North has said. When you get into an adventure such as this, it's going to cost a lot of money. The government feels it's going to be a booming success, that it's going to solve a lot of the financial problems in this province, that it's not going to have the difficulties, that there aren't going to be the losses that we have been predicting. From the province's point of view or from the taxpayers' point of view, I hope they're right. I hope it is a booming success. I don't think it will be. There are too many unknowns.

One of the members over here said, "What about the Dome?" It doesn't matter which party got us into that; the very fact of the matter is that there are adventures. Whether it's a Conservative government or a Liberal government or a New Democratic government, we've got into these things, and the taxpayer takes the brunt.

The member for Brampton North is perfectly right: Why should the taxpayer do that? Why should the taxpayer really be the guarantor of an adventure that has the possibility of failing? He's perfectly right to repeat some of his examples, whether it be a gambling casino across the river or an aboriginal gambling casino, which is quite possible in this particular area. There are all kinds of things that could happen.

The other thing, of course, that one needs to look at is that this is a bill where the government says, "Oh, it's just a pilot project." I would take the position that this is a bill that applies to all of the gambling casinos this government could put forward, whether it be in Windsor, Ottawa, Sault Ste Marie or any of the other five places that have been suggested—or four places, whatever the numbers are. So we have to look at this very carefully. If the losses are as high as could be predicted, the taxpayer will be groaning. I will say that to go into an adventure such as this based solely on the understanding that it's going to be a successful adventure is totally irresponsible. To simply guarantee an operation is inexcusable.

I would hope the government would support the member for Brampton North's amendment, because it is a most logical amendment and it makes good business sense, aside from your philosophy as to whether—and this government obviously is in great support of gambling casinos. This government is supporting the philosophy of the province of Ontario getting into gambling. That's their choice. If you're going to make that choice, at the very least make a sound business decision. The decision you're making is not a sound business decision, so I would ask that the members of the government support the amendment as proposed by the member for Brampton North.

**Mr Eves:** I would just like to briefly address this point as well. This is an issue that was discussed at great length in the committee as well, especially during the clause-by-clause deliberations of the bill. Actually, it was quite a unique circumstance, as I recall it, the day this was discussed in committee, because we had the deputy minister and one of the assistant deputy ministers, Mr Alfieri, appear before the committee and try to explain several matters to the committee over really what was the noonhour, I believe. They were elsewhere in the city at a different meeting and they gave of their time to come to the committee and try to help explain the matter, except I think in the eyes of some members at least, it further helped to somewhat confuse the matter.

I'm not going to put words in their mouths—we can look into Hansard—but Mr Alfieri said that one reason the government couldn't agree to such an amendment is that you might scare off some proponents or future operators of casinos in the province. Then when the deputy spoke, she said, oh, no, that isn't what Mr Alfieri meant to say at all.

Well, we know what Mr Alfieri said and we know what she said, and it would appear as if there's a complete difference of opinion between the ADM and the DM in the ministry as to why they don't want this amendment that would make operators solely responsible. I believe she indicated to the committee that of course the government, in any proposal it accepted from any operator, would insist that the operator would be responsible for any shortcomings or deficits, but we can't put that in the statute for some reason. That logic escapes me.

Under further questioning from various members of the committee, and I am paraphrasing here, she indicated, if there are any future casinos in the province, they may not be operated in the same fashion that this one's being operated in, and that there may not be exactly the same government-private operator sharing proposal as is going to happen in the Windsor casino in future casinos. I believe she even alluded to the fact that perhaps the government in the future could operate its own casinos 100%. She spoke momentarily of native

casinos. Then she was questioned about those comments.

**1730**

I think that, if anything, probably the presence of the deputy minister and the assistant deputy minister just served to further confuse various members of the committee as to why the government will not acquiesce in the amendment that the member for Brampton North has proposed here today, and indeed proposed in the standing committee.

I think it makes perfect sense. If the government representatives mean what they say, that of course the province would never be responsible for the operating deficit of a casino that is to be operated by a private operator, and that of course the government would never enter into any contractual arrangement with any private operator that wouldn't extract this sort of a guarantee from the private operator, what's the problem with putting it in the legislation? I fail to see the problem.

If the government never intends to have the provincial taxpayer assume operating deficits or liabilities or responsibilities of a private operator, and if the government would never dream of entering into any arrangement with any private operator by which the government or the taxpayers of Ontario would assume any operating deficit or responsibilities, then what is the problem with putting it in the legislation?

That's the question I would like to have answered, which after an hour and a half the deputy couldn't answer and the assistant deputy couldn't answer. In fact, they couldn't even agree on what the answer to the question was, so I pose that question to the parliamentary assistant.

**Mr Kwinter:** I'm pleased to join in on this particular point because I remember that when we were at the standing committee, this elicited a rather strange response from both the deputy minister and the assistant deputy minister.

There was a very definite mood that I detected in the proponents—I'm talking about the bureaucratic people who are running the casino project—that this is a cash cow, that there is no way anyone can lose any money and that it is only up to the government to make sure that it is run fairly, that it is run properly, and that it would benefit to the tune of anywhere from \$110 million to \$140 million a year. That's the government's share. That represents about 20% of the win.

The problem is that if you take a look at the history of casino gambling in places like Las Vegas and like New Jersey and Atlantic City, there are casinos that have failed. There are several, not only in those two jurisdictions but in other jurisdictions, that are in fact bankrupt and in receivership. The question is, how could this happen? The answer is very simple. There are certain fixed costs attributed to this facility, and there are moneys that will come out as a result of the govern-



ment's take, but there's also an obligation on the part of the operator. I think it's important that people understand that this facility is going to be owned by the government and run by an operator yet to be determined.

When we discussed this with the assistant deputy minister and asked him if he would have any objection to us including in the legislation a provision that any losses that are incurred in this operation would not be the responsibility of the taxpayers of Ontario but in fact would be the responsibility of the operator, his comment was rather strange. I don't have the exact quote, but if I could paraphrase, he said, "If we did that, it would send the wrong image to the proponents."

My response to that is, stop worrying about the image to the proponents and let us start worrying about the image to the taxpayer and making sure the taxpayer is protected. This adventure, and I use that term advisedly, by the government into an area that it thinks is going to be a cash cow—and I wish it well if it is, but certainly there is no guarantee.

The interesting thing that happened as a result of that exchange between myself and the assistant deputy minister was that the deputy minister intervened and said that it is absolutely not the intent of the government to put the taxpayer at risk and that certainly if there are any losses, those losses would have to be covered by the operator.

My question then is, if that is the case, and we were assured it was, even though there were contradictory statements by the assistant deputy minister and the deputy minister, surely no one on the government side would object to making sure that was enshrined in the legislation so that the people of Ontario—I can tell you, and I used this example during the hearings, I can imagine bureaucrats appearing before various legislative committees and assuring members of those committee and the taxpayers of Ontario that the purchase of Suncor would never cost the citizens any money, that the investment in Minaki Lodge would never cost the citizens any money.

I'm not singling out those two particular ones for any political reason; it's just an example of major commitments that were made by a government of the day that I am sure were made in good faith, with good intentions, fully expecting that, if anything, it would be a positive situation for the taxpayers and the people of Ontario, but in fact they have turned into major financial commitments and major drains on the public purse.

My concern is, casinos, if need be, fine—that's an issue that is going to have to be decided upon by the government—but surely we have an obligation as legislators to make sure that the taxpayer is protected and that if this casino should have some financial problems, the burden of those financial problems does not fall on the taxpayer but falls on the people who are

also going to be the chief beneficiary of any profits.

I am totally in support of the amendment of my colleague and would actually encourage others to support it.

**Mr Duignan:** Very briefly, this particular amendment got a lot of extensive consultation in the committee hearings and discussion. I wish to point out the fact that the proponent of the casino in Windsor will be responsible for the operating deficit of the casino.

Again I wish to point out that when the question was asked by the honourable member for Parry Sound of the deputy minister, the question was, "Am I hearing that if there was such an operating loss, it's your view that the province of Ontario and the taxpayers of Ontario pick up the losses?" The deputy minister: "Absolutely not. Absolutely not." I couldn't agree more. The proponent of the casino in Windsor is the person responsible for picking up the operational deficit in the casino if there is one.

**Mr McClelland:** I couldn't have said it better myself than the parliamentary assistant, and, if that's the case, put it in the legislation and amend the bill. Put some substance to what you're saying.

**Mr Tilson:** Just to clarify, you say that the person who's operating it will be responsible for the deficit. That's what you have said. Can you refer us to a section or a regulation or a contract that confirms what you have just said?

**Mr Duignan:** The same question was posed to the deputy minister at the committee hearings. Again, to quote the deputy minister, "I am not concerned about the Windsor casino and the government having any liability, because it's built into that arrangement and there has been no indication from any of the proponents that they would pursue anything other than that." It'll be built into the contractual arrangements with the proponents of the casino.

1740

**Mr Eves:** I ask again to the parliamentary assistant, because that being the case, it only further substantiates the proposition being put forward by the member for Brampton North: Why will the government then not accept his amendment. It's only doing exactly what the deputy minister said will of course be done, so why would you not accept that amendment?

**Mr Duignan:** This is a general piece of legislation establishing casinos in the province of Ontario. The model that's in Windsor may not be one that will be repeated elsewhere in the province and we wouldn't want to hinder further models of various casino operations in the province, if it's the choice of the government of the day to proceed with more casinos.

**Mr McClelland:** I'll defer to my colleague the member for Wilson Heights momentarily.

Let's just tell it as it is: That's patently silly. It is. If

you're talking about other arrangements, surely the principle of not having the taxpayer on the hook for any operating losses is in fact just as critical. If this model works or doesn't work, then you presumably would move to a different model. If you moved to a different model because it doesn't work, aren't you going to have the same problems all over again? It's a silly response to say we might want to do something a little bit differently.

The point is, we're suggesting that the taxpayers shouldn't be responsible, shouldn't be on the hook, whatever model you use, and that the people of this province have the assurance in fact in law. You're saying that they shouldn't worry. I don't want to make too fine a point on the word "arrangement," I say to the parliamentary assistant, but perhaps you could explain that a little bit. Maybe people are wondering what kinds of arrangements are being used. Maybe you didn't use the word advisedly. If you used that word advisedly, I'd be very interested in hearing about the arrangements that have been made.

**Mr Kwinter:** When we were visiting Windsor, there was a very active campaign and a lot of the proponents of the casino initiative were wearing buttons and they said "We're gambling on Windsor." I think that's great. The idea that the citizens have gathered around a particular project and they see this as an economic boon to their community I have no problem with. I have some problems with some of their projections but I have no problem with the idea that the community is supporting this.

I do have a problem when the government is asking the people of Ontario to gamble. That is really what it amounts to, when they're saying: "Trust us. If this project goes ahead in this particular form or in another form, we'll look after it." But I would suggest that if a poll or if a referendum were done today, it would be overwhelming, probably 100%, where the people of Ontario would say gambling if necessary, but surely not at the expense of the taxpayers.

To have a piece of legislation that does not recognize the fact that—I don't care what form your present or future casinos are going to take. There isn't a circumstance that I think the taxpayers of Ontario would embrace that puts them at risk and puts them in a position where they were gambling as to whether or not this was going to cost the taxpayers money.

The whole basis for the putting forward of this initiative is that the government is projecting that this is going to be a way for the citizens of Ontario to get some economic relief because it's going to generate hundreds of millions of dollars for the consolidated revenue fund of the province.

To have anybody objecting to the fact that my colleague's amendment provides that under no circumstance—it doesn't matter whether you come up with a

new formula, whether you come up with new partners, whether it's with the native peoples, whatever it is: under any circumstance—will the citizens of Ontario ever be put at financial risk in these particular activities.

Again, we were assured by the deputy minister that under no circumstances would the citizens of Ontario ever be called upon to bail out any of these particular casino operations. Now the parliamentary assistant is saying, "Well, there's going to be an arrangement to make sure that this doesn't happen." There is a very simple solution and a very simple arrangement: Put it into the bill.

My colleague's amendment specifically states that the citizens of Ontario under no circumstance will have any financial obligation to pick up any losses of that casino or any future casino or any combination of arrangements whereby casinos are operated in Ontario. I think it's a simple proposition. I don't think it's very complicated in its outlook. It just says, "We, the citizens of Ontario, want to be assured that we will not have to pick up any of the financial obligation."

Again I think it's something I can't believe we're debating. I can't believe that there's any objection, given the fact that the government has stated that this is its intent, given the fact that the deputy minister has assured our committee that this is the intent. Surely it shouldn't be a problem to make sure that it is enshrined in the legislation so that there can be no doubt as to what the intent is.

**Mr Tilson:** One of the last statements the member for Wilson Heights said, "I can't believe we're debating this," is really quite true. We've heard some amazing terminology come about in this place in the last year, whether it be "social contract," which wasn't even a contract—it was slamming the fist on the civil servants of this province as to what the financial position is going to be. Now we're hearing a new word. We're hearing the word "arrangement." There's been an arrangement made with someone in Windsor as to the operation of the gambling casino. What a strange process.

I gather that what the parliamentary assistant is saying is, "We must look down the way if we're going to have other gambling casinos around this province, and we have to leave the door open." I read it from that that he has an arrangement or he has something, and I don't know what the arrangement is. I don't know whether that's a matter of law. In fact the courts are just going to have a wonderful time telling us what the word "arrangement" means.

But assuming that it means "contract"—and unless I see it, I don't think it is a contract. I think it's been a little chat that someone's had with someone in Windsor suggesting this, but there's nothing legal about this. There's nothing binding that if this thing goes down the tubes, the taxpayers are not going to be paying the bill.



We know perfectly well they're going to be paying the bill unless (a) you've got the amendment that's been made by the member for Brampton North or (b) you have something in a contract. That's the only way that the people of this province can have that guarantee.

Having said that and having listened to the parliamentary assistant talk about the word "arrangement," I gather then what he's saying is: "Well, there may be another gambling casino. We have to leave the door open."

**Mr Gordon Mills (Durham East):** In 20 years this discussion will be irrelevant.

**Mr Tilson:** It's most relevant. The people of this province are most concerned about whether they're going to have to pick up the tab if your adventure fails, and it's predicted that your adventure is going to fail.

The parliamentary assistant is now saying that somewhere down the line there's going to be another gambling casino. I suppose if it fails it may be under the circumstances that the operator is off the hook, but the taxpayer's going to be on the hook. That seems to be the rationale, a most astounding revelation, and with due respect to the member for Brampton North, it's a very simple amendment. It's guaranteeing that the taxpayer of this province isn't going to pick up the tab. When the parliamentary assistant says on the one hand, "The taxpayer isn't going to pick up the tab," then I get back to that initial comment, why not put it in the legislation?

It all boils down to the old expression, "It's going to be a roll of the dice." Maybe the taxpayers are going to be on the hook, maybe they're not going to be on the hook. Certainly it seems quite clear to us that if the Windsor experiment fails, let alone the other experiments that have been contemplated, the taxpayer is going to have to pay for all of the losses this province has got us into in terms of gambling casinos, and that is what the member for Brampton North is trying to avoid with his amendment.

1750

**Mr Eves:** I still would like the question answered by the parliamentary assistant. The parliamentary assistant has said very definitively that with respect to the Windsor casino—and I think we should pay close attention to his qualifications—there will be an arrangement so that the province and the taxpayers of the province would not be responsible for any deficit and that the operator would be.

But it would seem to me that the parliamentary assistant has stopped short of saying that under any circumstances, under any different arrangement in the future, the taxpayers and the province of Ontario will not be responsible for any operating deficit or responsibility of an operator in the future;

unequivocally, absolutely not. I'd like to hear that from

the parliamentary assistant. If the answer is that this is the case, then why would he not agree to this amendment?

**Mr McClelland:** While the parliamentary assistant is responding to the very thoughtful questions put forward by the members for Wilson Heights and Parry Sound, would he respond, please, to the question I asked earlier: whether you use the word "arrangement" advisedly, or were you using it in a general sense? If you were using the word "arrangement" advisedly, tell us exactly what kind of arrangement.

**Mr Duignan:** When I used the word "arrangement," I was talking about contractual arrangements. That's the terminology I was talking about: a legal, binding document between two people, which is normally a contract. That's what we're talking about in relation to the Windsor casino. We're only talking about one casino at this point in time, and the people of this province will not be picking up any deficit, if there is one, in the casino in Windsor. That will be the responsibility of the proponent.

**Mr McClelland:** I just want to make this clear, and I want to give the parliamentary assistant ample opportunity to make this point abundantly clear to the people of this province. He says there is a contractual arrangement. My question is, are you saying on the record that you are going to guarantee that the contract between the corporation representing the province of Ontario and the operator will contain an arrangement, ie, in your words, "a contractual obligation," that will stipulate that under no circumstances the people in the province of Ontario will be responsible for any operating deficit? Is that what you're saying? If not, be as clear and expansive as you like; tell us precisely what the contract is going to say and what kinds of assurances you're going to give us. I might add a supplementary to that: After it's done, are you prepared to put the contract on the table to show us?

**Mr Duignan:** The short answer to that is, you said what I've said. Yes.

**Mr McClelland:** For the record, we shall wait and see. I look forward to that with great interest, hoping that we shall see, and I take it the "yes" is that we will see the contract.

**Mr Duignan:** Mr Chairman, just a point to clarify: I was answering the first part of the member's question in relation to the contractual arrangement. Contracts between two parties are subject to the Freedom of Information and Protection of Privacy Act, I would remind the member.

**Mr Eves:** I still don't have my question answered. The parliamentary assistant again is very adeptly skirting the question. He has said that for the operation of the Windsor casino—I've heard it again for the second or third time today and I've heard it ad nauseam in committee—there will be a contractual arrangement

to ensure that the province and the Ontario taxpayers are not going to be held responsible for any operating loss, deficit or liability.

However, this bill is not just about the Windsor casino. This bill is about the Windsor casino and any other future casinos to be operated in the province of Ontario. As a matter of fact, the government's rationale for not accepting several amendments, including one of mine, in terms of not being able to go ahead with casinos in other parts of the province etc etc etc is that this bill is for all casinos.

I don't know why we cannot get an unequivocal commitment out of the government that never, under absolutely no circumstances whatsoever, will any future government, anywhere in the province, be responsible for any liability, operating deficit, shortcoming; that the taxpayers won't pick up the tab under any circumstances, regardless of any arrangement by any future government, any municipality, any future casino site, anywhere ever in the province of Ontario. Are you willing to give us that commitment, yes or no? Or are you possibly entertaining a thought that somewhere down the road, under different circumstances, in a different municipality, under a different arrangement, the Ontario taxpayers will be responsible in whole or in part? If you are, perhaps you should come clean and tell

us that now, because I'm sure we're going to have a long debate about that if that's the case.

**Mr Duignan:** Very simply, I can only speak for New Democratic Party governments; I can't speak for the Liberal or the Tory governments. I can assure you that the people of this province will not be responsible for any deficit in any operation of any casino if it's the decision of the government of the day to expand casinos. But all we're talking about right now is the Windsor casino, and under a contractual arrangement the proponent will be responsible for the operating deficit of the casino.

Seeing it's nearly 6 o'clock, Mr Speaker, I move adjournment.

**The Second Deputy Chair:** The member for Halton North has moved that the committee rise and report. Is it the pleasure of the House that the motion carry? The motion carries.

The committee of the whole House begs to report progress and asks for leave to sit again. Shall the report be received and adopted? Agreed.

It now being almost 6 of the clock, this House stands adjourned until tomorrow, Tuesday, October 19, at 1:30 of the clock.

The House adjourned at 1758.



**LEGISLATIVE ASSEMBLY OF ONTARIO  
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Constituency/Circonscription	Member/Député(e)	Party/Parti	Other responsibilities/Autres responsabilités
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Algoma-Manitoulin	Brown, Michael A.	L	
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Brampton North/-Nord	McClelland, Carman	L	
Brampton South/-Sud	Callahan, Robert V.	L	
Brant-Haldimand	Eddy, Ron	L	
Brantford	<b>Ward, Hon/L'hon Brad</b>	ND	Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances
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Burlington South/-Sud	Jackson, Cameron	PC	
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Carleton	Sterling, Norman W.	PC	
Carleton East/-Est	Morin, Gilles E.	L	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président et Président du Comité plénier de l'Assemblée législative
Chatham-Kent	Hope, Randy R.	ND	
Cochrane North/-Nord	Wood, Len	ND	
Cochrane South/-Sud	Bisson, Gilles	ND	
Cornwall	Cleary, John C.	L	
Don Mills	Johnson, David	PC	
Dovercourt	<b>Silipo, Hon/L'hon Tony</b>	ND	Minister of Community and Social Services / ministre des Services sociaux et communautaires
Downsview	Perruzza, Anthony	ND	
Dufferin-Peel	Tilson, David	PC	
Durham Centre/-Centre	White, Drummond	ND	
Durham East/-Est	Mills, Gord	ND	
Durham West/-Ouest	Wiseman, Jim	ND	
Durham-York	O'Connor, Larry	ND	
Eglinton	Poole, Dianne	L	
Elgin	North, Peter	Ind	
Essex-Kent	Hayes, Pat	ND	
Essex South/-Sud	Vacant	L	
Etobicoke-Humber	Henderson, D. James	L	
Etobicoke-Lakeshore	<b>Grier, Hon/L'hon Ruth A.</b>	ND	Minister of Health / ministre de la Santé
Etobicoke-Rexdale	<b>Philip, Hon/L'hon Ed</b>	ND	Minister of Municipal Affairs / ministre des Affaires municipales
Etobicoke West/-Ouest	Stockwell, Chris	PC	
Fort William	McLeod, Lyn	L	Leader of the Opposition / chef de l'opposition
Fort York	Marchese, Rosario	ND	
Frontenac-Addington	<b>Wilson, Hon/L'hon Fred</b>	ND	Minister without Portfolio / ministre sans portefeuille
Grey-Owen Sound	Murdoch, Bill	PC	
Guelph	Fletcher, Derek	ND	
Halton Centre/-Centre	Sullivan, Barbara	L	
Halton North/-Nord	Duignan, Noel	ND	
Hamilton Centre/-Centre	<b>Christopherson, Hon/L'hon David</b>	ND	Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Hamilton East/-Est	<b>Mackenzie, Hon/L'hon Bob</b>	ND	Minister of Labour / ministre du Travail
Hamilton Mountain	<b>Charlton, Hon/L'hon Brian</b>	ND	Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et ministre délégué à l'Assurance-automobile
Hamilton West/-Ouest	<b>Allen, Hon/L'hon Richard</b>	ND	Minister without Portfolio, Ministry of Economic

Constituency/Circonscription	Member/Député(e)	Party/Parti	Other responsibilities/Autres responsabilités
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High Park-Swansea	<b>Ziemba, Hon/L'hon Elaine</b>	ND	
Huron	Klopp, Paul	ND	
Kenora	Miclash, Frank	L	
Kingston and The Islands / Kingston et Les Îles	Wilson, Gary	ND	Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
Kitchener	Ferguson, Will	Ind	
Kitchener-Wilmot	Cooper, Mike	ND	
Lake Nipigon/Lac-Nipigon	<b>Pouliot, Hon/L'hon Gilles</b>	ND	
Lambton	MacKinnon, Ellen	ND	Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
Lanark-Renfrew	Jordan, W. Leo	PC	
Lawrence	Cordiano, Joseph	L	
Leeds-Grenville	Runciman, Robert W.	PC	
Lincoln	Hansen, Ron	ND	Minister without Portfolio, Ministry of Culture, Tourism and Recreation; chief government whip / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs ; whip en chef du gouvernement Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
London Centre/-Centre	<b>Boyd, Hon/L'hon Marion</b>	ND	
London North/-Nord	Cunningham, Dianne	PC	
London South/-Sud	Winninger, David	ND	
Markham	Cousens, W. Donald	PC	
Middlesex	Mathysen, Irene	ND	
Mississauga East/-Est	Sola, John	Ind	
Mississauga North/-Nord	Offer, Steven	L	
Mississauga South/-Sud	Marland, Margaret	PC	
Mississauga West/-Ouest	Mahoney, Steven W.	L	
Muskoka-Georgian Bay	Waters, Daniel	ND	
Nepean	Daigeler, Hans	L	
Niagara Falls	Harrington, Margaret H.	ND	
Niagara South/-Sud	<b>Coppen, Hon/L'hon Shirley</b>	ND	
Nickel Belt	<b>Laughren, Hon/L'hon Floyd</b>	ND	Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales Minister of Housing / ministre du Logement
Nipissing	Harris, Michael	PC	
Norfolk	Jamison, Norm	ND	
Northumberland	Fawcett, Joan M.	L	
Oakville South/-Sud	Carr, Gary	PC	
Oakwood	Rizzo, Tony	ND	
Oriole	Caplan, Elinor	L	
Oshawa	<b>Pilkey, Hon/L'hon Allan</b>	ND	
Ottawa Centre/-Centre	<b>Gigantes, Hon/L'hon Evelyn</b>	ND	
Ottawa East/-Est	Grandmaître, Bernard C.	L	
Ottawa-Rideau	O'Neill, Yvonne	L	
Ottawa South/-Sud	McGuinty, Dalton J.P.	L	
Ottawa West/-Ouest	Chiarelli, Robert	L	
Oxford	Sutherland, Kimble	ND	
Parkdale	Ruprecht, Tony	L	Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé
Parry Sound	Eves, Ernie	PC	
Perth	Haslam, Karen	ND	
Peterborough	Carter, Jenny	ND	
Port Arthur	<b>Wark-Martyn, Hon/L'hon Shelley</b>	ND	
Prescott and Russell / Prescott et Russell	Poirier, Jean	L	
Prince Edward-Lennox-South	Johnson, Paul R.	ND	
Hastings/Prince Edward-Lennox-Hastings-Sud			
Quinte	O'Neil, Hugh P.	L	



Constituency/Circonscription	Member/Député(e)	Party/Parti	Other responsibilities/Autres responsabilités
Rainy River	<b>Hampton, Hon/L'hon Howard</b>	ND	Minister of Natural Resources / ministre des Richesses naturelles
Renfrew North/-Nord	Conway, Sean G.	L	
Riverdale	<b>Churley, Hon/L'hon Marilyn</b>	ND	Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Noble	PC	
St Andrew-St Patrick	Akande, Zanana	ND	
St Catharines	Bradley, James J.	L	
St Catharines-Brock	Haeck, Christel	ND	
St George-St David	Murphy, Tim	L	
Sarnia	Huget, Bob	ND	
Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony	ND	
Scarborough-Agincourt	Phillips, Gerry	L	
Scarborough Centre/-Centre	Owens, Stephen	ND	
Scarborough East/-Est	Frankford, Robert	ND	
Scarborough-Ellesmere	<b>Warner, Hon/L'hon David</b>	ND	Speaker / Président
Scarborough North/-Nord	Curling, Alvin	L	
Scarborough West/-Ouest	<b>Swarbrick, Hon/L'hon Anne</b>	ND	Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Simcoe Centre/-Centre	Wessenger, Paul	ND	
Simcoe East/-Est	McLean, Allan K.	PC	
Simcoe West/-Ouest	Wilson, Jim	PC	
Sudbury	Murdock, Sharon	ND	
Sudbury East/-Est	<b>Martel, Hon/L'hon Shelley</b>	ND	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Timiskaming	Ramsay, David	L	
Victoria-Haliburton	Vacant		
Waterloo North/-Nord	Witmer, Elizabeth	PC	
Welland-Thorold	Kormos, Peter	ND	
Wellington	Arnott, Ted	PC	
Wentworth East/-Est	Morrow, Mark	ND	
Wentworth North/-Nord	Abel, Donald	ND	
Willowdale	Harnick, Charles	PC	
Wilson Heights	Kwinter, Monte	L	
Windsor-Riverside	<b>Cooke, Hon/L'hon David</b>	ND	Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main- d'oeuvre
Windsor-Sandwich	Dadamo, George	ND	
Windsor-Walkerville	Lessard, Wayne	ND	
York Centre/-Centre	Sorbara, Gregory S.	L	
York East/-Est	Malkowski, Gary	ND	
York Mills	Turnbull, David	PC	
York North/-Nord	Beer, Charles	L	
York South/-Sud	<b>Rae, Hon/L'hon Bob</b>	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
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## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 19 October 1993

# Journal des débats (Hansard)

Mardi 19 octobre 1993



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers



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Tuesday 19 October 1993

The House met at 1333.

Prayers.

#### MEMBERS' STATEMENTS

##### ONTARIO HYDRO

**Mr David Ramsay (Timiskaming):** I would like to inform the House of an incident in Timiskaming involving Ontario Hydro that occurred on September 18 at approximately 1:30 pm. What happened was that Ontario Hydro transmission lines were crossed as a result of a beaver felling a tree.

What this did was to cause a transformer to blow and a power outage. What happened was that we had an accompanying voltage surge that caused a lot of damage to people's appliances.

In fact, over 100 households had electronic appliances that were damaged or totally destroyed by this power surge. Resulting damage could be well over \$100,000, and virtually all this damage is not covered by standard household insurance policies.

The Ontario Hydro office, when contacted, reviewed the circumstances and could find no evidence of responsibility on the part of Ontario Hydro. The residents of Cobalt feel that Ontario Hydro is to blame for not ensuring that the clearance area around the hydro line wasn't completely free from a tree fall.

Three years ago, there was a great deal of alarm when beavers caused a flood which resulted in a tailings spill in the Montreal River in Matachewan. In that instance, the mining company was held responsible and heavily fined.

It seems there's a double standard in effect here. Why is it that a mining company is held responsible for what beavers do on its property, but Ontario Hydro can shrug off this blame? I believe Hydro not only has responsibility to produce and deliver electricity, but to do so in a safe manner.

##### MINING INDUSTRY

**Mr Leo Jordan (Lanark-Renfrew):** My statement is to the Minister of Natural Resources. Mines closing in Ontario now outnumber the amount that are opening. This is happening not for a lack of natural resources and development potential, but is a direct result of government policies that are killing the industry.

Ontario's mining interests are moving their capital and skilled workforce to the United States, to Central and South America and to Europe. One reason companies are leaving is because nearly three quarters of the province is under exploration freeze due to negotiations with natives.

Another major obstacle to mining in Ontario is environmental regulations which overlap federal measures and make mining more expensive and time-

consuming than it should be. Instead of running this government's obstacle course, mining companies are simply going to other countries.

I remind this government that 30,000 Ontarians are employed in the mining industry and another 56,000 Ontario jobs are directly dependent on mining. Furthermore, the mining industry provides the province with over \$280 million per year in tax revenues.

I urge the minister, the government, to rethink policies which are driving the mining industry out of Ontario and realize how important the industry is in terms of employment and in terms of the minerals we need to maintain our standard of living.

##### TAXATION

**Mr Gordon Mills (Durham East):** In today's world of tight money, the ordinary men and women in my riding of Durham East are left wondering, when in this crazy world is something going to be done about sharing the pain of doing with less?

According to the Fair Tax Commission, 23% of all Ontario's wealth is owned by 1% of the people and 46% is owned by 5% of the people. I'm left wondering why so few people have so many toys to play with.

The working men and women in my riding have all searched their tax forms and they can't find that box where they check off 50% for restaurant meals, and they can't find that box either where they can claim the SkyDome seat, nor can they claim the oxygen to get up to the top to breathe when they get there.

It's just crazy that the workers in my riding pay taxes on 100% of their wages while the barons of business only pay tax on 75% of their profits. It's time we come to grips with things in Ontario and make the few ultrarich people in the province share the pain with the rest of the working folks who have no choice in this matter.

##### BEEKEEPING INDUSTRY

**Mr Murray J. Elston (Bruce):** I would like to comment on a couple of the NDP initiatives that have been highly touted as their way of doing business in the province of Ontario.

It was just a year ago that they came to an agreement with the Ministry of Agriculture and Food to allow the Ontario Beekeepers' Association to do certain programs to monitor the expansion of some predatory mites as they affect the beekeeping business in Ontario.

After having come to an agreement with these people in the association to privately do the monitoring required to ensure the health of the bee population of this province, the Ontario Ministry of Agriculture and Food cut back \$30,000 for this year and \$50,000 for next year, really meaning that it has withdrawn almost

totally from the business of protecting the bee population in this province.

Some people may not think this is a big issue, but this is a huge issue for the over 4,500 producers in Ontario, and it really is a prime example of how the New Democratic government of this province has pulled away from providing service to the people of this province, and then letting the blame fall on the private providers who have agreed, by contract, to take over the program.

The New Democrats haven't got the guts to tell the people they are withdrawing from providing service to the people of this province. They haven't got the guts to tell people they are pulling away from their responsibility of providing health care services in this province. They haven't got the guts, they haven't got the stamina to govern this province in an honest and fair way.

The Ontario Beekeepers' Association knows what they've done. The rest will soon know.

1340

#### FIRE EXEMPLARY SERVICE MEDALS

**Mrs Margaret Marland (Mississauga South):** On October 29, 16 firefighters in Mississauga will be decorated with the Fire Exemplary Service Medal from the Governor General. This distinguished award is presented to persons in high-risk professions "in recognition of 20 years of loyal and meritorious service to public security in Canada."

There are few experiences as terrifying as being trapped in a fire. In just minutes, a fire can spread from the point of ignition to a house-engulfing blaze. Anybody who has escaped from a fire realizes that firefighters demonstrate incredible bravery, risking their lives on a daily basis in order to save ours.

Firefighters also provide emergency medical help, rescue trapped people, contain hazardous spills, plan for emergencies, inspect for fire safety and educate the public.

The residents of Mississauga join me in offering our deepest respect and gratitude to the firefighters who will receive the Fire Exemplary Service Medal. They are:

—Captains Bernie Charron, Charlie Duncan, Jim Haight, Jim Lawton, Larry McPhail, Al Mooring, Andy Parkinson, George Shering, Doug Wilson; and

—Firefighters Jim Chormier, Chic Cyr, Phil Dorval, Errol Doddridge, Peter Halter, Mike McBride and Trevor Robinson.

I am honoured today to convey our heartfelt thanks to these veteran firefighters and to all the men and women who risk their lives in order to protect the public.

#### PUBLIC LIBRARY WEEK

**Ms Margaret H. Harrington (Niagara Falls):** This week is Public Library Week in Ontario. It's an opportunity for you to visit your public library and see what's new. Ontario libraries are so important to our social

and economic wellbeing, as well as offering a wealth of culture and literature. In Niagara Falls, our library is truly a community centre, with meetings going on morning, noon and night in the beautiful Judy LaMarsh Room at our library. It is a place of beauty and it is at the very pulse of community life.

Public libraries across Ontario are now at the forefront of the information age. I visited our library yesterday morning to launch the new provincial database, INFO, on CD-ROM. With this new computer database, I was able to call up any of four million books, records and videotapes from all across the 200 libraries in Ontario. With INFO, everyone across Ontario can use this information.

Niagara Falls library now is raising \$4,000 for a feasibility study so it can apply for provincial funding to computerize the collection, certainly much needed in this day and age. Once we are computerized, we can put our Niagara Falls records, with many unique records, into the Ontario INFO system and not just access the collections of others.

I want to welcome librarians from all over North America to Niagara Falls for their international convention beginning November 3. I encourage all MPPs and everyone watching to see the new INFO system in your library.

#### POLITICAL ADVERTISING

**Mr Robert V. Callahan (Brampton South):** I rise today to relate to the House the comments from many of the constituents in my riding over the negative advertising by the federal Progressive Conservative Party where they concentrated on the facial features of Mr Chrétien. My residents, who are Conservatives, New Democrats and Liberals, were appalled by that type of advertising.

I didn't make this statement yesterday because I was waiting for members of the provincial Conservative Party, and for that matter the government, to perhaps rise to take exception to this and represent the views of those people.

We all saw in the 1960s the US influence on our advertising. Mr Muskie: They revealed that he had seen a psychiatrist once. I think the problem the federal Conservatives had was that they employed a US assistant. I think the US assistant will no longer be hired by anybody. I think for once we've realized that Canadians are different than Americans. We do not allow this kind of conduct in our advertising.

It was Mr Chrétien's facial features. Who knows if they'd do it again? Perhaps it could be someone with another disability. It could be a cultural person.

I stand here today waiting to hear from the other parties to see whether or not they're going to speak out about this unfortunate and distasteful type of advertising.



## HIGHWAY SAFETY

**Mr Bill Murdoch (Grey-Owen Sound):** The council of the township of St Vincent has passed a resolution that reads as follows:

"That, in view of a large increase in traffic, including large trucks, the Ministry of Transportation once again be requested to consider the construction of a passing lane on Highway 26 for Bayview Hill."

The minister will know that Bayview Hill, between Meaford and Owen Sound, badly needs attention, but there are other troubled areas as well.

I very much appreciate the work that has already been done in my riding on Highway 10 between Dundalk, Flesherton and Markdale and on the small stretch of Highway 6 north of Mount Forest. But, as my colleague Ted Arnott, the member for Wellington, has reminded the House on several occasions, much more needs to be done.

Highways 6 and 10 between Chatsworth and Owen Sound are very heavily travelled and highly congested. Four lanes would greatly improve driving conditions and would reduce the danger of accidents as well.

Highway travelling is a way of life for people in Grey, and our small businesses and our tourist industry, which welcomes thousands of cottagers, hikers and skiers every weekend of the year, rely on good roads to keep them afloat.

I would ask the minister to strongly consider St Vincent's request and to proceed with the construction and improvements needed in other areas of the county. We need safe highways and we need them now.

## CANADIAN FOSTER FAMILY WEEK

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** On behalf of the government and all members of this House, I am pleased to join the Canadian Foster Family Association for the third consecutive year in declaring this Canadian Foster Family Week.

This is a very significant week, with a number of special events planned by children's aid societies and foster parent associations throughout the province. It provides an opportunity for all of us to celebrate and recognize the very important role that foster families play in our communities.

There are 54 children's aid societies in Ontario that provide substitute care to more than 20,000 children annually. Many of those children are being cared for in the more than 4,800 foster homes across the province.

On a personal note, my family has been involved with foster parenting and I have seen many examples of the kind of satisfaction that comes from providing this kind of assistance to young people.

We have a number of guests in the gallery today representing the Foster Parent Society of Ontario and the Ontario Association of Children's Aid Societies. The foster parents in attendance today are Barbara Ptashyn-

ski, Alexandra Irish and Sally and Alex Barthomeley. Also in attendance today are Vincent Taylor and Siobhan Devine from the Ontario Association of Children's Aid Societies.

I think all of the members of the House would join me in congratulating these representatives for the very important work they are doing in providing safe, secure and caring foster homes for children who need these services.

Our guests have brought some buttons with them today to promote awareness of Canadian Foster Family Week, and I hope that many of the members will put on a button to demonstrate their support and enthusiasm for Canadian Foster Family Week.

One of the purposes of this week is to raise the profile of foster parenting and perhaps to let people know how they can become involved. If you are interested, you can contact the children's aid society or the foster parent association in your region or neighbourhood.

STATEMENTS BY THE MINISTRY  
AND RESPONSES

## ASSISTANCE TO CO-OPS

**Hon Floyd Laughren (Minister of Finance):** This week, members of cooperatives throughout the province are celebrating Co-op Week.

This event highlights the unique contribution that co-ops make to Ontario. For more than 140 years, people have formed cooperatives to help each other and to help their communities. The co-op sector success has played an important part in economic development and creating jobs in Ontario.

Because co-ops are locally based, they respond to local needs. Furthermore, their earnings stay in the community. Last year, for instance, Ontario co-ops had more than \$1 billion in revenue, all of which remained in the province.

To enable cooperatives to have an even stronger role in our economy, we believe we must give them the tools and resources. I am pleased to announce today, during Co-op Week, the government's strategy to foster the growth of cooperatives.

This strategy is the result of a year-long review coordinated by my parliamentary assistant, the member for Scarborough Centre, Steve Owens.

1350

**Mr Murray J. Elston (Bruce):** Where is he sitting?

**Hon Mr Laughren:** He is sitting beside me. The cooperative movement has no better friend in this province than Steve Owens. This review included more than 20 public meetings across the province and a lot of hard work by an advisory group representing every major co-op organization in Ontario.

The consensus from this consultation was clear: Co-ops need improved access to business assistance pro-

grams, they need more flexibility to raise capital and they need to heighten awareness of cooperative entrepreneurship.

This government is acting on these recommendations:

—To improve access to business assistance programs, we have targeted co-ops for all three components of Jobs Ontario Community Action.

—We are giving the Ontario Worker Co-op Federation a \$1.8-million grant under Jobs Ontario Training to develop worker cooperatives.

—In addition, we will broaden the Ontario investment and employee ownership program to allow employees who buy out their companies to convert them to worker co-ops.

—We are going to extend programs like new ventures, youth ventures and student ventures to include co-ops as well. These programs have already helped entrepreneurs get started. The changes we are announcing today will give cooperative entrepreneurs an opportunity to get their businesses going.

—In response to requests for more flexibility to raise capital, we will examine how we can reform the Co-operative Corporations Act to give co-ops more ways to raise money to start up and grow. Our review of the act will begin this fall.

—To raise awareness of cooperative entrepreneurship, we will put information on co-ops in the government business assistance publications and workshops. We will also develop educational materials for schools. We want more people to know about this model because we are certain many more people will find the cooperative approach suits their goals.

By supporting the development of cooperatives, this strategy will help co-ops do more for their communities.

In closing, I would like to thank the members of the sectoral advisory committee who are here today in the members' gallery. They are Brian Ashford, Bob Bethune, John Brouwer, Sophie Edwards, Pierre Lacasse, Allan Lanctot, Carol Mitchell, Michel Paulin and David Westbrook and Judy Goldie.

Their dedication and hard work is appreciated not only by the government and the co-op sector but also by the hundreds of communities in Ontario that in the future will benefit from the work they've already done and will do in the future.

**Mr Elston:** I was interested to see that the Finance minister, who used to be called the Treasurer but now the Finance minister, has taken credit for a year-long study into this through his parliamentary assistant. Mr Owens has obviously met and heard and listened—well, he didn't take credit, he's talking about the government taking credit for Mr Owens's work.

It seems to me that what has happened, though, is that while they have moved the co-ops into several areas where other traditional business forms in this

province have already been before, they have moved them into areas that have had dubious records with respect to successful rates of investment in the province of Ontario.

While the people in the movement of cooperatives around the province may wish to be involved and show their abilities to achieve success for the government's initiative, it seems to me that we ought to examine some of the problems that currently are being dealt with in the communities.

For instance, the Jobs Ontario strategy has not been able to match the people who have enrolled with positions to be trained, and whatever organization is allowed to participate in the Jobs Ontario activities, they must have healthy and successful economic communities within which to allocate the funding for those new Jobs Ontario Training positions.

The Treasurer of this province knows full well that one of the really big problems with creating a positive economic atmosphere in which the cooperative movement or the business movement in this province can actually become successful is to honestly present what the books of the province show, where he's making his expenditures and how in fact he is spending the dollars which he collects.

If the co-ops are to participate successfully, then the Finance minister must set the standard of honesty and integrity in bookkeeping that allows investment successfully in the economy of this province. That's not me speaking, that is the auditor of this province telling us that the books aren't really that good in this province.

I just issue a very small warning to the people in the co-op movement that, while they have an ability to do things that would appear impossible to some others, this Finance minister and the manner in which he is handling his books is conspiring against the energy with which the co-op movement has traditionally attacked problems like this.

It is also interesting that we have only spent one year doing the studies of the capitalization problem for cooperatives. I don't understand how the member for Scarborough Centre could fully bring into this House, with the Finance minister's help, a recommendation that we begin this fall to study the means by which capitalization can be taken off the problem agenda for co-ops in this province.

The member for Scarborough Centre rightly noted that when I was Minister of Financial Institutions, that issue was raised with me and we weren't able, in the short time I was there, to tackle it successfully. However, that is more than three years ago or about three years ago now. It seems to me that, after a full year of study by the member for Scarborough Centre, something more than another study being announced could very well have been put in place.

In fact, had this government been willing to move



forward, they would have put forth for a consultation their version of what they wanted to happen with the capitalization problem for cooperatives in this province. It is interesting to note that if they start this fall, they will be able to take this study right through 1994. I would speculate that there will be an announcement with respect to cooperatives and capitalization to be made probably very early in the calendar year 1995.

These people have a timing that is—

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mr Elston:** It's very interesting, Mr Speaker, they're trying to yell me down, but let it be seen that the timing for the report on this study, the timing for the report on the study on education and the parents' council on education, all of those will take a calendar year and all of those will be available for the release of a platform which I suspect Mr Rae and the others over there believe will save the New Democrats from the same fate as Audrey McLaughlin is now about to feel.

It seems to me that these people have cynically set the timing to deal with issues of real economic concern for the cooperative movement, of real economic concern for the men and women in this province who face the loss of their jobs, who would like to build workers' co-ops as a matter of fact, as an alternative to the current ownership situation. They have set the timing for those initiatives for the timing of their re-election bid, and I do not support that in the least.

**Mr. Chris Stockwell (Etobicoke West):** There's little, if anything, in this announcement today that could simply not be applied to any business, small, large, medium, in this province as far as the applicable recommendations brought forward by this government are concerned. There's not any doubt in this province today that everybody is having a very, very difficult time with the flexibility to raise capital. Everybody's having a tough time.

There's no doubt, in my mind, that every single business in this province is having a difficult time dealing with government's level of debt, level of taxation and level of red tape. I myself will not think that this will be a huge boon to the Ontario economy. I don't believe this is going to turn us around. It may be a public educational program for the people out there to have a little bit better understanding of the cooperative program.

A grant of \$1.8 million that the government is going to give out is simply not going to resolve the situation we're faced with today. If you read page 2, we are giving the Ontario Worker Co-op Federation a \$1.8 million grant under Jobs Ontario Training to develop worker cooperatives. You know full well that they're giving this money through Jobs Ontario because they're not out there accessing the money because Jobs Ontario is so messed up. They have extra money. They're trying

to figure out how to spend it because they're not using it appropriately and it's not creating the kind of work they hoped and prayed it would create when they announced it in the first place.

"In addition," they say, "we will broaden the Ontario investment employee ownership program to allow employees who buy out their companies to convert them to worker co-ops." Why do we need \$1.8 million and why do we need this? Because there are a lot of businesses out there that the banks aren't lending money to because of the recession, because of government debt and because they're very risky businesses. So we, the government, have decided that we're going to try and get involved and take

risks that standard lenders won't take because they're concerned they won't see any return on their investment.

1400

That's what happens when you get involved in government grants and government loans to businesses out there because the standard lenders either are not comfortable in the environment that they're in today or they're concerned about the risk. That's why we, as governments, end up lending money. So to think that this is some kind of panacea that's going to resolve the economic woes we're faced with, it's not. To think it's going to, as the Treasurer suggested, cover hundreds and hundreds of communities in a breakout pattern that's going to create prosperity out there is another panacea that will not exist.

I'm not a huge fan of government-sponsored, subsidized programs to create short-term economic growth, because they're not long-term. If we want to help the people in the province in business, if we want to help the cooperatives out there, they're asking us to do a couple of things that this government can do: Cut the red tape, cut the political, in-your-face bureaucratic attitude that all governments have today, cut the taxes, cut the deficit and cut the debt. That would go far further in rebuilding this economy than any kind of scheme that's worked up, with all due respect to the member for Scarborough Centre, by this government in hopes of rebuilding the economy.

I give the Premier more credit, I suppose, than the member for Bruce because I know he's a Rhodes scholar and he knows that this program is not going to rebuild the hopes of the NDP and get them re-elected. He may well have a plan put together just in time for the next election to announce the whole new NDP slogan on cooperative programs, but I will caution this government: Before you go about giving out \$1.8 million expanding Jobs Ontario to create opportunities for businesses to borrow more money, be very, very careful, because in my opinion, any time governments have been involved in joint venture programs, most have gone the wrong way, and the wrong way is the

taxpayers end up footing unfairly a huge proportion of the costs. If you, as a government, want to help business—

**Mr George Mammoliti (Yorkview):** I have an idea. Let's sell the airport.

**The Speaker:** Order, the member for Yorkview.

**Mr Stockwell:** —get out of their face, cut the taxes, cut the deficit, get the debt under order and tell your Treasurer to start reporting the deficits in this province more honestly and be more straightforward and have a meeting with the auditor to straighten the mess out that you've created in three years.

I'm sorry, the member for Scarborough Centre: You spent a year on this but you've come to the wrong conclusions. Get out of their lives; don't continue complicating them.

#### ORAL QUESTIONS CANCER TREATMENT

**Mrs Lyn McLeod (Leader of the Opposition):** My first question is for the Minister of Health. Minister, you offered many words of defence and explanation yesterday when I raised the very real concern of the people of this province about access to treatment for cancer. You even suggested at one point that it was a somewhat partisan approach that I was taking. I can assure you that for me this is a very real issue for very real people.

The bottom line of my questions is that it is absolutely inexcusable that the waiting lists for radiation therapy in the province of Ontario can now be as long as six to eight weeks. It is absolutely intolerable that any cancer victim should have to wait for treatment while the disease grows worse, perhaps even to the point where it is being diagnosed as incurable.

Minister, you acknowledged yesterday, and we agree, that we have all known for years that a crisis in cancer treatment would develop if steps weren't taken immediately. The planning and the work was being done so that the crisis we face today could have been avoided, and I say that all of the planning has been thrown off the rails by a series of ad hoc, crisis decisions that have been made since you became Minister of Health.

Yesterday you said the problem that we face today in treating cancer is primarily a shortage of trained cancer specialists. Your response to that was to send out a call for foreign-trained specialists. I ask you, Minister, what have you been doing to encourage the cancer specialists who are trained here in the province to stay and practise here and provide the care that people need?

**Hon Ruth Grier (Minister of Health):** First of all, let me correct what the Leader of the Opposition has said.

I said the problem was an increasing incidence of cancer and a change in the protocol of practice which is appropriate and which calls for greater amounts of radiation or people needing radiation than were antici-

pated even in 1985 when the previous government received the initial report of the fact that we were facing a crisis. I also said we lacked enough machines as well as personnel. I indicated that we were moving to address the shortage of machines and that in the next three or four years there would be more. We have to, at the same time, move to make sure we have the personnel available. There are graduates coming from our medical schools who will be available in time: not enough of them. In response to her question, we have identified this as an area where we need more students to take the post-graduate studies that will enable them to be available.

But I want to say to the Leader of the Opposition that earlier this year there were a great many graduating physicians who wished to go into fee-for-service practice in Ontario and were very critical of this government for suggesting that there were in fact specialties and areas where there were enormous shortages.

I stood outside the cancer treatment centre in Sudbury, having just been told about its difficulty in finding radiation oncologists, met outside with graduating doctors who were saying they wanted to do something different. So in this province, graduating doctors choose their specialties. What we can do is make sure that they are aware of the need and that, as we develop for the first time human resource planning—

**The Speaker (Hon David Warner):** Could the minister conclude her response, please.

**Hon Mrs Grier:** —we identify the priorities and help to direct people to meet them.

**Mrs McLeod:** I wonder if it ever occurred to this minister to ask herself why people who are graduating from our medical schools want to do, as she says, "something different."

Minister, yesterday you said that part of the problem in providing access to cancer treatment was that there was a shortage of cancer specialists, specifically radiation oncologists, the very people we need in order to provide the radiation therapy where we're seeing such long waiting lists. You said there was a worldwide shortage; once again, it was not a problem of your making.

Let me take you back to a situation we raised last spring, last June, when 1,100 young doctors crowded into the Royal York Hotel to talk to American recruiters about jobs in American hospitals. I don't know what clearer evidence there could be that doctors in this province, that new graduates in this province, are finding it less and less attractive to work here. In fact, you may remember one of those recruiters saying he'd have to give the NDP a donation for making his job so easy.

Minister, I believe this is something that you must take responsibility for. It is a clear result of your policies. Your only response to that issue has been to



say you will now recruit doctors trained outside the country. There are graduates being trained here. I ask if you have any idea how many of the cancer specialists who are currently being trained here in Ontario are leaving, and are leaving because of your policies.

**Hon Mrs Grier:** I reject categorically that people who leave are leaving because of our policies.

In response to the member's specific question, let me tell her that in 1994 there will be 16 graduates in radiation oncology, in 1995 there will be 20, and in 1996 there will be six. It is certainly our hope and our expectation that there will be positions in Ontario for all of those graduates, and I hope indeed that all of them will remain and fill those positions. We are contributing massively, as you pointed out much earlier this year, to the cost of their education. I hope that they will work in Ontario.

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**Mrs McLeod:** Once again we have hopes and wishful thinking instead of planning and direct action on the part of this government. I asked this minister a very specific question.

*Interjections.*

**The Speaker:** Order.

**Mrs McLeod:** Minister, I asked you a very specific question. I wasn't talking about the future or your hopes for the future; I was asking if you knew how many graduates, trained cancer specialists trained in Ontario, were staying to practise in the province.

I am told that in June 1993 there were 11 graduates in radiation oncology, the very specialists that you say we need to deal with the current crisis. Four of those 11 have stayed to practise in the province of Ontario. That means less than 40% of the physicians we trained in this speciality are staying to provide care to the people of this province. More than 50% of the graduates that we trained here have left the province of Ontario to practise elsewhere.

I believe it is absolutely inexcusable that you did not know this. It is absolutely inexcusable that you did not even want to understand how your policies are affecting the willingness of the people we trained here to stay and practise in the province of Ontario and provide the kind of care people need.

I ask you, why are you now looking to bring in people who are trained elsewhere rather than trying to understand why the people we trained in this province are not staying here and what you can do about it? Why are you not willing to recognize what you have done to make this crisis worse?

**Hon Mrs Grier:** The Leader of the Opposition, as is the wont of leaders of the opposition, is trying to make very simple and black and white a very complicated situation. If there were in fact 11 graduates in radiation oncology in this province last June, I don't

know where those 11 came from, whether they were all Ontario students who wanted to remain in Ontario or whether they perhaps came from another province or another jurisdiction to train in our first-class facilities and then wanted to return to where they had come from. I would have to know that information before accepting the premise of her question.

*Interjections.*

**The Speaker:** Order.

**Hon Mrs Grier:** What I want to say to her is that medical and other specialists leaving Ontario, leaving Canada to practise elsewhere, is not new.

**Mrs Barbara Sullivan (Halton Centre):** When you set 25%, you gave them their walking papers.

**The Speaker:** The member for Halton Centre is out of order.

**Hon Mrs Grier:** It has happened all the time. What fascinates and is important to me is that 85% of those specialists who leave eventually return, and I think that kind of ratio will continue.

**The Speaker:** New question.

*Interjections*

**The Speaker:** Order. The Leader of the Opposition with her second question.

#### TAX INCREASES

**Mrs Lyn McLeod (Leader of the Opposition):** My second question is for the Premier. There's a report just recently released by Global Economics that shows that Ontario taxes have increased by \$3 billion, that the average family is paying \$663 more each year in taxes. The figures are familiar to us, but we have seen how these new taxes are affecting jobs. The economic recovery that you so hopefully again predicted in your spring budget has yet to occur, and the Conference Board of Canada has projected that the taxes you brought in that budget alone have slowed our economic recovery and will cost jobs. Surely it is obvious that no government can impose \$3 billion in new taxes without killing jobs.

Premier, will you now tell us how many jobs have been lost in Ontario as a result of your \$3-billion tax bill?

**Hon Bob Rae (Premier):** I can tell the honourable member very directly that since the recovery in the province began over a year ago, we have seen a growth in jobs of over 100,000. There are over 100,000 more people working this year than at the same time last year and there are 25,000 fewer unemployed people in the province than there were last year.

Those are the facts which the Leader of the Opposition would choose to ignore. The Leader of the Opposition may want to have one question on one subject and one question on another subject, but let me tell the Leader of the Opposition this. She's saying to us:

"Spend all the money you can on health care. Forget about your budget; just let everything go on that. Solve the problems by spending, spending, spending, and don't raise any taxes, and lower the deficit." That is a proposition which does not add up. It will not work, it has not worked and it will not work in Ontario. It's a strategy that cannot succeed in this province.

We have to tax responsibly and fairly, and I would say to the honourable member that's what we have been striving to do in the face of enormous economic difficulty. I stand thoroughly behind the Minister of Finance in terms of the steps we've had to take to deal with the crisis.

**Mrs McLeod:** It's also a fact that in Bob Rae's Ontario, the new definition of "economic recovery" is a slowing down in the rate of bankruptcies.

Premier, we understand why you brought in the job-killing taxes. We understand you brought in your job-killing taxes in order to deal with your financial problems. But what you don't seem to understand is that it hasn't helped. You brought in over \$3 billion in new taxes, but your revenues are actually down by \$1.5 billion.

What you don't seem to understand is that the new taxes mean that businesses are leaving Ontario, that jobs are being lost. The Global Economics report is predicting a brain drain of trained professionals leaving Ontario because of the tax increases, and people don't pay taxes when they don't live and work in this province any longer.

How do you justify \$3 billion in new taxes to shore up your sagging revenues when taxes are clearly killing jobs, hurting the economy and, ironically, lowering government revenues?

**Hon Mr Rae:** I would say to the honourable Leader of the Opposition that there's a partisanship and a superficiality to her analysis that literally defy description. That was true of her first question and it's true of her second question.

The province has been going through a difficult recession. That is a fact. We can argue about the causes and consequences of that for a long time, but its impact is undeniable. It's not unique to Ontario. It didn't start on September 6, 1990. Your leader called an election in 1990 because he saw the writing on the wall with respect to the recession; that's why he called the election early.

You talk about the NDP's sagging revenues. The province's revenue situation has been difficult. The fact of the matter is that taxation as a percentage of GDP is lower today than it was when the Liberals were in office four years ago. It's lower today than when you were in office, and that's a hard fact. Revenues have declined as a result of the recession. We're trying to deal with the recession, and we're trying to deal with it in a responsible way.

I can tell the honourable member that the approach she is advocating is one that has zero credibility. Perhaps in due time, as events unfold across the country and with the election under way which will take place on Monday, we will then see just how straightforward and just how clear-cut are some of the solutions that the Leader of the Opposition has been putting forward. I look forward to those days.

*Interjections.*

**The Speaker:** Order. Would the Leader of the Opposition take her seat.

*Interjections.*

**The Speaker:** Before the election actually arrives, perhaps we could have at least one more question.

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**Mrs McLeod:** After that response, I'm going to have to go back to the dictionary and look up the definition of "partisan," obviously. It's something like the new definition of "economic recovery"; it's not something I ever understood before.

In all seriousness, I want to say to both the Premier and the Minister of Health, who have accused me of being partisan because I raised the very real concerns of very real people, I thought that's what politics was supposed to be all about, and that's what I'm going to keep doing.

If the Premier is not prepared to listen to me, if every issue I raise seems to him to be a partisan issue, maybe he'll respond to people across the province who write to us and talk to us about their concerns. Maybe you will say something to a small business operator from Thorold who says his business is being taxed to death, that he is now on the verge of going bankrupt. Maybe you'll say something to the farmer from Essex who says, "We are deeply concerned about the negative impact to the economy of any further tax increases," or say something to the small business operator from eastern Ontario who complains that the NDP's tax policies have hurt his business and have forced him to cut back his staff from nine to five employees.

Premier, that is just a sample of the kinds of concerns we hear from very real people every day. I ask what you have to say to these very real people in Ontario. How do you explain your \$3-billion tax increase to the people who are losing their businesses and losing their jobs?

**Hon Mr Rae:** I hope when you're writing back to the small business owner from Thorold, you'll say, "The NDP has lowered the small business tax in comparison to what it was under the Liberal government of which I was a member." I hope you will say that while you supported every one of the 50-plus tax increases put in by the Liberal Party, which hit small business, which introduced the employer health tax, which applied it across the board and which hit those people, while you



did that, of course you suddenly changed your mind on September 7, 1990. In terms of any of the increases which have been described as progressive, even by the Liberal advocate who put forward the report yesterday, you suddenly find yourself unable to believe in those. You will of course point out that the capital cost allowance for corporations has also been lowered and that's one of the reasons that's put in place.

I say to the honourable member, I hope you are telling the people who are writing to you the truth about what has happened with the Liberal Party, what the Liberal Party did in government and what this government has been doing with respect to the tax system. We've made it fairer and we're going to make it fairer still. We're certainly going to make it a lot more fair than anything that took place under the Liberal Party of Ontario when it was the government for the last five years.

**The Speaker:** New question, third party; the leader of the third party.

*Interjections.*

**The Speaker:** The leader of the third party with his question.

**Mr Michael D. Harris (Nipissing):** I don't think the question to be decided here today is: Who taxed the most, the Liberals or the NDP? Quite frankly, the Liberals are the master taxers. There is no question that they have taxed and hiked taxes, job-killing taxes, far more than you have.

**The Speaker:** To whom is your question directed?

**Mr Harris:** However, Premier, here's the question for you. Not only weren't the Tory taxes enough for you, but you wanted the cumulative effect of all the punishing, job-killing Liberal taxes. But all of those combined with the former Tory taxes weren't enough for you. You had to bring in \$3 billion more on top of even all those taxes. That's what we are talking about here: the cumulative effect of all the tax increases.

At the same time we read yesterday that Ontario is one of the high-tax provinces, we also read that we're also the fourth-highest borrower in the world on the international markets and the biggest borrower of any government in the world on the international markets. At the same time as you're out borrowing that money, you now, according to the Canadian Business Economics journal study, are officially classified as a high-tax province.

Let me ask you this, Premier: When can the taxpayers of Ontario expect a tax break from your government?

**Hon Mr Rae:** When I hear a Tory on the subject of taxation, where was the honourable member when the federal government raised taxes across the board? Where was the honourable member for the GST, three little letters that have led to the tax revolt across this country? The first bill we introduced as a government

was to say that we're not going to put the retail sales tax on top of the GST. Where was he on that?

*Interjections.*

**The Speaker:** Order.

**Hon Mr Rae:** The honourable member is having difficulty now because he can't decide whether he's the pal of Presto or whether he's the pal of Kim, and he's got five more days to make up his mind.

I can tell the honourable member that there are hundreds of thousands of people in this province who know full well that this government has succeeded in making the tax system fairer. I admit we've had to raise taxes to pay for programs, but those senior citizens who are on low incomes, those people who are making less than \$20,000 a year, those people who face the greatest difficulty in terms of their lives have had consistent tax breaks from this government. We've insisted on making the tax system fairer.

**The Speaker:** Would the Premier conclude his response, please.

**Hon Mr Rae:** I can tell the honourable member we've got more budgets to go and we've got more fairness to come and greater things ahead for the people of this province, and it won't be because of anything that's been asked for or sought by the would-be Reformers and once-were Conservatives who are on that side of the House.

**Mr Harris:** By way of supplementary to your comments, Premier, I think you will find that I am a pal of all taxfighters all across this country who will fight taxes, and that means on this issue I am no pal of yours. That's what that means.

It's not surprising that every day we see and hear how frustrated Ontarians are. Here is the first ever NDP government in Ontario, the self-professed champions of the downtrodden, and what have they done? They have stuck it to all of us, even the working poor.

The report released yesterday shows how even families earning as little as \$15,000 to \$20,000 a year are having more money picked from their pockets by you, your government, your cabinet, your budget. You have grabbed, as the report indicates, almost \$3 billion new tax dollars on top of all those ones that were already there, an average of \$633 per family this year alone.

But every year we get the same answer from the Treasurer: Revenues are falling short of projections; the deficit target is in jeopardy. Premier, the reason is simple: You've hiked our taxes well past the breaking point.

I ask you now, when will you admit that this approach of the last eight and a half years of hiking taxes is the wrong approach, that it's not working, and will you take a different tack and give taxpayers a break?

**Hon Mr Rae:** He says "eight and a half years." I thought the Tories had been in power federally for nine years. Eight and a half or nine; we can argue about the six months.

I will say to the honourable member this: With respect to his facts, which he has wrong, as he does every single day he raises the question in the House, 400,000—

**Mr Harris:** The Canadian Business Economics journal.

**The Speaker:** Order.

**Hon Mr Rae:** I can't help it if after all the research help you get, the best you can do is quote from a newspaper article. I would say to you, the facts are that there are—

**Mr Charles Harnick (Willowdale):** Ask about those facts, Bob, cooking the books.

**Hon Mr Rae:** If the honourable member for Willowdale will control himself for a second; I know it's difficult.

There are 400,000 people in this province who are either paying no income tax who were paying it before—

**Mr Harnick:** Ask the auditor about the half-billion dollars you're trying to hide.

**The Speaker:** The member for Willowdale.

**Hon Mr Rae:** —or who are paying less as a result of the steps that have been taken by the Minister of Finance. Those are the facts. Those are the facts which the honourable member chooses not to admit.

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When we look at the situation with respect to the deficit in this province, over \$16 billion of the \$38 billion that we have seen the deficit increase can be accounted for alone by the cutbacks in federal transfers—alone by the federal transfers, alone by the Tory party, by a Tory government which has systematically neglected the interests of the 10 million people who live in the heartland of Canada. You've stood in your place and said and done nothing—

*Interjections.*

**The Speaker:** Order. Could the Premier conclude his reply, please.

**Hon Mr Rae:** —except go out and tell people to vote for Kim Campbell. That's been the extent of your activity in defence of Ontario. I can tell you we are going to stand up for the people of Ontario. We're going to bring in a fairer tax system despite the treatment and the neglect on the part of the federal government, and we're going to continue to fight for that in the face of the kind of reactionary proposals that come from the leader of the third party.

**The Speaker:** New question.

**Mr Harris:** The first Premier, the first cabinet, the

first Treasurer in the history of the Ontario government where the auditor said, "I refuse to sign those books; they're fudged," and you're talking to me about disagreeing with the numbers from the Canadian Business Economics.

**The Speaker:** Is this the member's second question?

**Mr Harris:** My final supplementary: The headline on today's Toronto Sun spells out pretty clearly, "\$600m Metro Tax Crisis." Metro Toronto is facing a total tax default rate of \$600 million because individuals and businesses just can't pay any more.

Given that you are far and away the biggest tax culprit, that you have intruded on the municipal jurisdiction, that you have continually grabbed, now, \$3 billion more of their dollars, I submit that your government deserves the bulk of the blame. It's an inescapable conclusion. You have broken the tax camel's back. You have done that.

I would ask you the same question: Will you finally see the light? Will you acknowledge that you've got the message and will you bring in some targeted tax relief to take the burden off the people of this province of Ontario and give Ontarians a chance to get on the path to a real and lasting recovery? Will you provide tax relief for the people of Ontario?

**Hon Mr Rae:** I, of course, expect the honourable member to blame this government for everything that happens, for everything that walks, but one thing I want to make very clear: When he says that I and this government are the straw that broke the tax Campbell's back, I want to say to the honourable member, that is something which will be settled on Monday and it'll be the people of Canada who will decide what to do with the tax Campbell. That's who will decide what to do with the tax Campbell. The tax Campbell is up in Ottawa.

If the honourable member doesn't realize it, I will have to remind him of it time and again. He has not been fair and I can't understand why. Given the support that I know exists in his caucus for the Reform Party, I'm surprised that he is not as vigorous in his understanding of what has happened to this province as a result of the leadership of the federal Conservative Party.

I can't understand how a leader in this province would not recognize just the extent of the unfairness and the extent of the tax burden that's been placed on us, and the extent of the neglect that we've had to fight against and live with in the face of the deepest recession, which we are now coming out of, since the 1930s.

**The Speaker:** New question.

**Mr Harris:** I will be watching on the 25th. We'll see how Audrey McLaughlin fares. Maybe that will answer some questions for the Premier as well.



## PAROLE SYSTEM

**Mr Michael D. Harris (Nipissing):** My second question as well is to the Premier. Recently, Ontarians were saddened by the senseless shooting of a police officer. As you know, one of the suspects was on provincial parole. The outrage that has followed has been directed at many sources, including your government and at a parole system that many Ontarians believe is failing us.

According to Metro police, 1,269 charges had been laid in Metro in the first eight months of this year against persons while on parole. Many police and citizens believe that public safety is at risk. What have you done to address this serious situation?

**Hon Bob Rae (Premier):** I'll refer that to the Solicitor General.

**Hon David Christopherson (Solicitor General):** As the honourable member knows, the parole system in this province is at two levels: at the national level and at the provincial level. At the provincial level, we deal with people who are sentenced to terms of two years less a day or less. Many of the issues he raises deal with very violent offenders, which of course both systems are very concerned about.

In terms of what we are doing about this, there's a growing concern and acknowledgement in this nation that we need to be focussing more on violent crime and on prevention. Let me say that both this government and the federal government have been working on measures that would see us deal with the reasons for—

*Interjections.*

**Hon Mr Christopherson:** We continue to get into this and the honourable members want to do more heckling than listening.

**The Speaker:** Order. Minister.

**Hon Mr Christopherson:** The intent of these focuses: One of the primary ones was a recent all-party committee report that came out of the federal government which has drawn a lot of attention in this country, at the provincial level and the federal level, talking about working at the root causes of crime as well as focusing more and more on the violent offenders and on physical assaults and things that are deemed to be of the greatest importance.

I believe that we continue to work with the federal government on these issues so that we're dealing appropriately with the matters at hand.

**Mr Harris:** I appreciate that the minister is talking about the federal government and working with it, because this morning my office spoke with detectives at Metro police, the bail and parole unit, and they told us that one, not the only but one of their great frustrations is their inability, under federal legislation, to apprehend a parolee who is clearly breaking a condition of his or her parole.

For example, if a convicted sex offender is prohibited from being in the presence of an unaccompanied minor as a condition of his parole, an officer cannot arrest him if he or she sees him in that violation. The Metro police services has recommended that the legislation be amended to address this. You ought to be aware that there have been attempts in the federal House over the last year to make those changes to the legislation. I would ask you, will you endorse these changes to the federal legislation and lobby the federal government on behalf of those who feel this change is necessary for the police to be able to do their job?

**Hon Mr Christopherson:** I'm certainly aware of the issue the honourable member raises. I believe that it was also a recommendation contained in an inquest jury's recommendations. We are now looking at that recommendation. We are obviously taking into account the significant opinions of agencies such as Metro police and other police agencies, as well as victims' groups across the province, and we will be responding to that recommendation in the time frame set out.

**Mr Harris:** Every time we ask this minister a question it's: "We're studying it. We're looking at it." This has been going on for over a year now. We've been crying out for provincial action and support and there has been none. There's been silence.

Premier, my caucus task force on crime, justice and community safety has been travelling the province over the past few months. One of the things we've been consistently hearing is that bail and parole practices pose a threat to the public by allowing convicted criminals out of jail without adequate screening and without adequate supervision. The frustrations of police are evidence and unfortunately the shooting of the Sudbury officer is proof.

Minister, yesterday you said you didn't have the legal authority to place a moratorium on all early releases until we can get a closer look at the parole system, but you clearly have the right, and I suggest to you the obligation, to offer an advisory opinion on behalf of your government and the people of this province, indicating that you and your government agree with me that it is not in the interest of public safety that our parole board continue to grant early release to those individuals responsible for crimes involving violence. Will you make that statement now pending the completion of the board's decision to release Clinton Suzack?

**Hon Mr Christopherson:** I think we all take the issue of this matter very seriously. It's touched the hearts of all Ontarians, I believe.

On seeing and hearing the questions that have been raised around this, the honourable member knows that I've responded with an immediate review of this decision so that we here in this place, as well as the public, can have some assurance as to whether or not the procedures that are there were followed, that those

procedures are appropriate. Then when we have those determinations, when we have the answers to those questions, if indeed it's necessary to take the appropriate steps, we will take them.

I believe that is the appropriate action to take, and I believe it will ultimately lead to the right kinds of changes if we need to make them, or to answer to the public the questions that they deserve to have answered.

1440

#### MENINGITIS

**Mr Steven W. Mahoney (Mississauga West):** The Minister of Health knows, as I asked her yesterday, about the two young people who died last week in the region of Peel, allegedly from meningitis. There are still some examinations being undertaken, but apparently there is certainly a meningitis scare in Peel region.

I asked a question yesterday in the hope that there might have been a minister's statement. I thought that at the very least there might be a minister's statement today from the Minister of Health on this issue.

Dr Peter Cole, the medical officer of health in the region of Peel, and his staff are doing everything they can to keep things calm, but in fairness to them, it's not working. Your own provincial medical officer of health has met with local officials. In spite of the best efforts of all these people, parents and students in the region of Peel are very close to panic.

Minister, I have to tell you that this is not a partisan issue, but you have done nothing and you continue to do nothing. On behalf of the public health officials in Peel and on behalf of all the citizens of Peel, will you clarify how the vaccine will be made available by your government, when it will be available to family physicians, and who will pay for this vaccine? Will you further ensure that any patient who needs and wants this vaccine will have access to it immediately?

**Hon Ruth Grier (Minister of Health):** Let me say to the member that I know very well how very worrying and serious the situation is and how people in the region of Peel are feeling and that they are concerned about it. I was very glad that there had in fact been adequate briefing and communication by the chief medical officer of health of the province as well as of Peel, and I understand some of the local members took advantage of the opportunity to meet with officials and get the information earlier today. I hoped that might have helped to clarify the questions the member was concerned about.

Let me say to him that the chief medical officer of this province, Dr Richard Schabas, as well as the medical officer for Peel, have been involved from the immediate identification of this issue in protecting the public health of the people of Peel. On their advice, anybody who is at risk is being vaccinated and has the vaccine made available to them.

The people in Peel who are concerned have a hotline where they can phone and get information with respect to whether or not they should feel they are at risk, and if the medical officers of health, who are the people with responsibility for protecting the health of all of us, believe they are at risk, then the vaccine is available to them.

**Mr Mahoney:** I would have thought that as the Minister of Health, you would accept some responsibility for protecting the health of the people of this province. Today at Peel regional headquarters, there was a demonstration by several hundred young people who were wearing masks and bandannas to demonstrate their fear when they go to school. They were holding up banners and they were demonstrating, calling for this vaccine to be made available.

The issue is not what Dr Cole or Dr Schabas is doing; they are doing their jobs, and I frankly think they're doing a good job. The issue is, what are you doing?

Clearly, if the medical officer of health calls for a vaccine to be made available, it is provided. If a family physician requires that the vaccine be made available, it is not provided by your government, it is not paid for by OHIP; it is left up to everybody to fend for themselves. The message is very disconcerting.

Minister, you have a frown. It's the facts. I've talked to doctors, I've talked to parents, I've talked to students, and the question is, will you make it available?

You have said here, in the *Toronto Sun*, "Ruth Grier says OHIP will pay for meningitis shots for students outside the affected schools only if a local"—

**The Speaker (Hon David Warner):** Could the member complete his question, please.

**Mr Mahoney:** If these people aren't concerned, we had two young people die in Peel region, and I'm concerned about it.

**The Speaker:** Could the member please complete his question.

**Mr Mahoney:** The minister has said that OHIP will pay for meningitis shots for students outside the affected schools only if a medical officer of health recommends the shots. Minister, we need some leadership. Will you ensure that the vaccine is made available to family physicians, that it will be paid for under OHIP if it is recommended by a family physician, and will you make a statement in this House today about your government's clear leadership on this very, very serious issue?

**Hon Mrs Grier:** I take great exception to the allegation that there has not been leadership and in fact direct involvement in this situation by the Ministry of Health. The chief medical officer of the province, Dr Schabas, is an official of my ministry, and it is on his recommendations that I act. His recommendation is that anybody who is at risk get the vaccine.



I have to say to the honourable member that there are many people in Peel who are frightened. Let me say to him that my grandson is in a public school in Peel, and I am frightened that he might be put at risk in this situation.

But I think the situation is not helped by acknowledging or encouraging the widespread vaccination of people who are not identified as being at risk, and the responsibility for identifying that risk lies with the officials who are charged with that responsibility. It is their advice that I seek; it is their advice that I follow.

Anybody else in Peel who is concerned needs to talk to their family physician, and if the family physician believes that patients are at risk, they can be referred to the chief medical officer of health.

If the family wishes to have the vaccination but is not considered to be at risk, then they can proceed through their family doctor to have that prescribed, and yes, they will pay for it themselves or their drug plan will pay for it.

#### HOMOLKA CASE

**Mr Cameron Jackson (Burlington South):** My question is to the Attorney General. Minister, you will be aware that an American show entitled *A Current Affair* will air a program on October 26 about the deaths of Kristen French and Leslie Mahaffy, and the program will also deal in detail with the manslaughter trial of Karla Teale.

On October 26, Canadians are going to have an opportunity to learn the horrific details of a trial that was under a publication ban and currently is. This not only affects the integrity of our justice system, but also the lives of the families of the victims, who will suffer revictimization as a result of this program.

My question to you is simply this: Have you or members of your ministry staff taken the time to contact the victims' families to determine if Mary Garofalo, the interviewer, and her team from *A Current Affair* misrepresented their activities and wilfully broke the law and your publication ban while they were in Ontario and obtained interviews under false pretence in order to even have such a horrific story to put on the air in one week?

**Hon Marion Boyd (Attorney General):** Officials in my ministry have certainly been monitoring the activity that we have learned about, and certainly when the show was attempting to get interviews with a wide variety of people, including reporters and television commentators who were allowed into the trial, we were made aware of that.

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The ministry was taking what it felt were appropriate measures to try and persuade people to be very wary in terms of the publication ban. We are very, very conscious of the real difficulty for the families around this

issue and the very serious jeopardy in which we find our criminal justice system. We certainly are attempting to do what we can.

As for me, no, I have not been in touch with the families and that was not considered to be appropriate.

**Mr Jackson:** As the chief lawmaker in this province as the Attorney General, I would like you to receive—and the Premier—personal letters which the families gave me today to give to you so they can express to you their concerns in this regard. I think you are losing an opportunity as the minister responsible here to examine all aspects of this case.

I have within the hour received four pages of the crib notes used by Mary Garofalo to do her show. It is clear to me on the face of these notes that she fully intended not to deal with the story of serial killer cards but to expose and to flaunt your publication ban.

If you were doing your job, Minister, you would know that this team while in Ontario hired a sound man from Toronto who during the course of the interview was so distraught at the facts around this case that he broke down and the interview had to be stopped momentarily. If you were doing your job, you'd be trying to find out if the *A Current Affair* team was successful in their offer of money to both Bernardo and Teale.

Minister, I ask you, as we have expressed on this side of the House, we want you to do your job. We want your ministry staff to do thorough investigations of these matters and—

**The Speaker (Hon David Warner):** Could the member place a question, please.

**Mr Jackson:** —not to necessarily point a finger at what is perhaps limiting your capacity. There are opportunities within our laws that they came to this province, wilfully broke our laws, misrepresented themselves and now may put in jeopardy a very important trial to Ontarians and Ontario victims.

**Hon Mrs Boyd:** The member has made some very serious accusations, and obviously those accusations will be investigated. When he makes these kinds of comments about people wilfully breaking the law and wilfully doing this and that, he speaks as though he is investigator, judge and jury. Quite frankly, that's not appropriate in our legal system.

We are consistently investigating on this issue. We have been very, very firm on this issue. We have very severe difficulties. I have spoken of those before in this House, about controlling what goes on in terms of cross-jurisdictional publications, an issue with which the member is surely well acquainted, given his seeming belief on his own private member's bill that we can put a fence around publications in Ontario, knowing very well that we cannot.

It is very, very difficult in the midst of an investigation when the show has not yet been broadcast. He may

have copies of crib notes and I'm not sure where he obtained them and I'm not sure that our investigators don't have them, but I can tell him that we are monitoring very carefully what is going on and if in fact there is a breach, it will be handled very, very severely.

**The Speaker:** The Minister of Health with a reply to a question asked earlier.

#### HEALTH CARDS

**Hon Ruth Grier (Minister of Health):** Yesterday the member for Simcoe West raised an example in this House of an individual who had received two OHIP cards. I expressed my concern and undertook to investigate the incident.

Let me tell him that, as I can find out, an individual lost her wallet and went to the ministry's office on Yonge Street to get a replacement card. When the card did not arrive within a specified period of time, the person again contacted OHIP to report the card stolen and to ask for another card. An error was made. The additional request did not go in indicating that it was a follow-up.

On September 8 the individual was issued a card which had the version code PN. On September 12 a second card was issued with a different version code, ER. The card with the ER version code is the only valid one. It supersedes the earlier one at the time of issuance.

I understand the individual has spoken to staff of the ministry and has been advised that only the card with the ER version code is the valid one.

**Mr Jim Wilson (Simcoe West):** I thought the minister would answer the question. My first question yesterday was: Given that 12.5 million health cards have been put into circulation since 1990 when the health card system was introduced and we have a population of 10.5 million, I wanted to know where the extra million and a half health cards are and whether they are accounted for. None the less, she chose to answer a different part of that question.

With respect to this case, as a follow-up and as research behind the question I asked, we tried to get through to the OHIP verification line you've set up in Toronto. I couldn't get through to that number, so we contacted the office in Owen Sound. The OHIP office in Owen Sound confirmed that this is the third time in as many weeks that two cards have been issued to a person who simply asked for one replacement card.

You know that the more cards are out there in circulation, given the current state of your database, the greater the potential for fraud in this province. What are you doing specifically to ensure that when people simply apply for one replacement card, you're not sending them two cards within two days? Those extra cards out there, and there are hundreds of thousands of them, can be used by people who are dishonest.

**The Speaker (Hon David Warner):** Could the member complete his question, please.

**Mr Jim Wilson:** Mrs Poole, who brought this to our attention, was an honest person and she reported this. What about the hundreds of thousands of people out there—

**The Speaker:** The question's been asked. Would the member take his seat, please.

**Hon Mrs Grier:** I worry for the member's blood pressure, but I'm happy to be able to tell him that as a result of the efforts of this government in trying to cope with an inappropriate database and an inappropriate card system, 1.8 million cards have in fact been cancelled. So we are making some progress.

But I want to say to him, I agree with him. One error of the kind that I've outlined is too many. I'm also happy to be able to tell him that by the end of November, the system will be in place that will ensure that no replacement cards will be issued unless the request is accompanied by a completed application and original documents verifying residency.

Those are the kinds of steps we're taking. We are succeeding. There is more to be done. I acknowledge it and I look forward to working constructively with the member as we have ongoing discussions about this issue.

#### GRANDVIEW TRAINING SCHOOL FOR GIRLS

**Mrs Lyn McLeod (Leader of the Opposition):** My question is for the Attorney General, the minister responsible for women's issues. For many months now, my colleagues and I have been pressing your government to release the report into sexual abuse at the Grandview school. The Information and Privacy Commissioner has said the report can be released. The Divisional Court of Ontario has said the report can be released. We now read in the Toronto Star that your government is arguing on appeal that the report cannot be released because it could harm provincial officials named in it.

The Grandview survivors want the report released. They want to know that justice will be done. They want to know that your government wants justice to be done. Minister, I ask, how can you, as Attorney General, minister responsible for women's issues, justify further victimizing these women in the name of protecting government officials?

**Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues):** I do not. That last line in that article surprised me as well, and I have asked what that argument was all about. The major part of the article, the whole column, was about our concerns around this report being released and destroying the possibility of a successful investigation and a successful prosecution in this case.

The member has recycled this question again and



again. We have been very clear that we were going to appeal the decision. We are appealing it. We are appealing it on the grounds that it is not going to assist us in ensuring that there is a successful prosecution in this case, which is, as I would remind the member yet again, the only way in which we can ensure justice is done for those who may have been victimized at Grandview.

**Mrs McLeod:** I recycle the question because I simply cannot understand yet why this government refuses to act in light of the fact that both the freedom of information commissioner and the courts have said that the report can be released without jeopardizing the investigation.

This government has said in the past that it would never cover up the truth in order to protect those in power. I truly believe, as I ask this question yet again, that on this matter this government has violated those principles.

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On October 1, Will Ferguson himself called on his government to release this report. He said: "I think the report should be released. The perception is that the NDP government is hiding something."

Minister, by continuing to suppress this report, you are doubly victimizing these women who are already victims. I believe it is completely unacceptable to go beyond what the courts have said is necessary in order to protect government officials.

I ask you once again: Will you not allow the Grandview report to be released, as the courts have said it may be? Will you not give these women what they are asking for?

**Hon Mrs Boyd:** This matter, even as we speak, is in front of the courts. It is up to the Court of Appeal to make a decision in this case.

I have taken the position that I have taken precisely to ensure that prosecutions are able to proceed and that in fact we will come to the bottom of the truth. For this member to suggest that this government—this government—has anything to protect, as opposed to the two previous governments, is a joke. We have nothing to protect. We are trying to get to the bottom of the truth. We are investigating. We are prosecuting. Where were you for five years?

#### MENINGITIS

**Mrs Margaret Marland (Mississauga South):** My question is to the Minister of Health. Minister, the same medical officer of health in the province today, Dr Schabas, made a different decision regarding how to treat cases of meningitis—

#### *Interjections.*

**The Speaker (Hon David Warner):** To the member for Mississauga South, my apologies. I cannot hear the question, nor can the Minister of Health.

**Mrs Marland:** Mr Speaker, I hope I'll get my sup from all that noise.

Minister, your medical officer of health, Dr Schabas, made a different decision last year in the Ottawa-Carleton situation regarding the same number of cases with meningitis than he has made today in the region of Peel with Dr Cole. My parents and my students want to know: What is different between the region of Peel, on a region basis, and Ottawa-Carleton?

**Hon Ruth Grier (Minister of Health):** I can't speak to that as a non-physician, but as I am aware, the number of cases has not been in fact as many in the region of Peel. This is a situation that is monitored very, very carefully. We have been fortunate in this province that the incidence of meningitis has been decreasing. It is usually isolated cases, and the number of cases that have occurred in Peel is cause for concern.

I can assure the member that we will be monitoring it continually, and should the situation change or should it appear that the risk is greater, any decision that is made will be revisited constantly.

**Mrs Marland:** Madam Minister, you should be able to speak to that because, I want to tell you, a publication that is being handed out today in Peel does not say what you just said. This publication says: "Ontario has experienced an increase in meningococcal disease since 1986 [with] several clusters occurring as described below. Since 1989 the increase has been observed in school-age children and teens."

This is what is being handed out today in the region of Peel. This is why the parents and the students in Peel are saying, "Why inoculate three high schools in the educational environment and ignore the fact that within those schools they intermingle with students from other schools in the immediate area?"

In my area of Mississauga South we have six high schools, including the separate high schools, and we have the separate board, with their students playing hockey and sports and socializing, and your medical officer of health and their medical officer of health seem to ignore that after school, these students still get together.

**The Speaker:** Would the member place her question, please.

**Mrs Marland:** Minister, I'm asking you on behalf of these parents and students if you will, first of all, have the same standard in Peel as Dr Schabas, the medical officer of health, made for Ottawa-Carleton and, secondly, will you pay for that vaccine for all students for whom their own physician prescribes that form of treatment?

**Hon Mrs Grier:** I would ask the member to be careful about throwing out statistics about various strains of a disease. I think it is commonly accepted that incidents of meningococcal disease in Ontario in the last

number of years have declined, but one is too many, as it is with any disease or any fatality.

**Mrs Marland:** The printed item says that it has increased.

**The Speaker:** Order.

**Hon Mrs Grier:** I want to say to the member that given the extent of the concern and the knowledge, I think everybody in Peel is aware of how careful they need to be and how this can be prevented.

What I am saying to her is that if on the advice of the chief medical officer of this province, anybody is identified as being at risk, they will then get the vaccine. If somebody wishes to meet with their own physician and to discuss with their own physician whether or not they are at risk, if that physician thinks they are at risk and that is confirmed by the medical officer of health, they will get the vaccine. If their own doctor does not think they are at risk but the patient wants to have the vaccine, then it will be a transaction, a visit, a procedure by their doctor in the same way as any other procedure, which is that the patient, unless he has drug coverage, buys his own drug.

#### PETITIONS

##### HEALTH CARE

**Mrs Joan M. Fawcett (Northumberland):** I have a petition to the Legislative Assembly of Ontario:

"Whereas proposals made under the government's expenditure control plan and social contract initiatives regarding health care in the province of Ontario will have a devastating impact on access to and the delivery of health care; and

"Whereas these proposals will result in a severe reduction in the provision of quality health care services across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario move immediately to withdraw these proposed measures and reaffirm its commitment to rational reform of Ontario's health care system through its obligations under the 1991 Ontario Medical Association-government framework and economic agreement."

I have signed the petition.

##### PROCEEDS OF CRIME

**Mr Cameron Jackson (Burlington South):** I have a petition to the Legislative Assembly of Ontario:

"Whereas it is the right of every Ontario citizen not to be victimized;

"Whereas victims of violent crime and their families have a right to be protected against exploitation by criminals who receive payments for their recollections of their crimes;

"Whereas such payments should be dedicated to victims of crime; and

"Whereas private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, will ensure that moneys obtained by criminals as a result of their recollections of their crimes will be paid to the Criminal Injuries Compensation Board to be applied to the needs of and services for victims of crime,

"Therefore we, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government endorse and support fully private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, and ensure its speedy passage into Ontario law."

##### LAND-LEASE COMMUNITIES

**Mr Paul Wessinger (Simcoe Centre):** I have a petition addressed to the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario:

"We respectfully request that the Legislature of Ontario take action on the matter of Bill 21 to protect people living in mobile homes and living on leased land from being removed from their homes."

I have signed my name in support of this petition.

##### PRODUCE-YOUR-OWN BEER AND WINE

**Mr Dalton McGuinty (Ottawa South):** I have a petition which reads as follows:

"To the Parliament of Ontario:

"Whereas the government of Ontario has proposed in its spring budget of 1993 to impose a tax on beer produced by the general public for their own consumption at brew-on-premises facilities in the province of Ontario,

"We, the undersigned, will not accept an attempt to tax our own labour and efforts to make our beer and wine at brew-on-premises facilities for our own consumption.

"Further, we feel this attempt is shortsighted and extremely counterproductive. The brew-on-premises facilities we support contribute to our local and provincial economies and represent the true entrepreneurial spirit which will drive our economic growth in the future."

I support this petition and I've added my name to it.

##### PROCEEDS OF CRIME

**Mr David Turnbull (York Mills):** I have a petition addressed to the Legislative Assembly of Ontario. It reads:

"Whereas it is the right of every Ontario citizen not to be victimized;

"Whereas victims of violent crime and their families have a right to be protected against exploitation by criminals who receive payments for their recollections of their crimes; and



"Whereas such payments should be dedicated to victims of crime; and

"Whereas private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, will ensure that moneys obtained by criminals as a result of their recollections of their crimes will be paid to the Criminal Injuries Compensation Board to be applied to the needs of and services for victims of crime,

"Therefore we, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government endorse and support fully private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, and ensure its speedy passage into Ontario law."

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#### LAND-LEASE COMMUNITIES

**Mr Gordon Mills (Durham East):** A petition to the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario. We respectfully request that the Legislature of Ontario take action on the matter of Bill 21 to protect people living in mobile homes and living on leased lands from being removed from their homes."

I've affixed my signature to this petition.

#### PROCEEDS OF CRIME

**Mr Bill Murdoch (Grey-Owen Sound):** I have a petition to the Legislative Assembly of Ontario:

"Whereas it is the right of every Ontario citizen not to be victimized;

"Whereas victims of violent crime and their families have a right to be protected against exploitation by criminals who receive payment for their recollections of their crimes; and

"Whereas such payment should be dedicated to victims of crime; and

"Whereas private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, will ensure that money obtained by criminals as a result of their recollections of their crime will be paid to the Criminal Injuries Compensation Board to be applied to the needs of and the services for victims of crime;

"Therefore we, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government endorse and support fully private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, and ensure its speedy passage into law."

#### CASINOS

**Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Christian is called to love of neighbour,

which includes a concern for the general wellbeing of society; and

"Whereas there is a direct link between the higher availability of legalized gambling and the incidence of addictive gambling (Macdonald and Macdonald, Pathological Gambling: The Problem, Treatment and Outcome, Canadian Foundation on Compulsive Gambling); and

"Whereas the damage of addiction to gambling in individuals is compounded by the damage done to families, both emotionally and economically; and

"Whereas the gambling market is already saturated with various kinds of government-operated lotteries; and

"Whereas large-scale gambling activity invariably attracts criminal activity; and

"Whereas the citizens of Detroit have since 1976 on three occasions voted down the introduction of casinos into that city, each time with a larger majority than the time before;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario cease all moves to establish gambling casinos."

#### MAGNETIC RESONANCE IMAGER

**Mr Jim Wilson (Simcoe West):** I have a petition addressed to the Legislative Assembly that reads as follows:

"Whereas an MRI is an imaging modality superior to the CAT scan which is particularly useful in diagnosing diseases of the brain, spine and joints;

"Whereas it eliminates the need for other invasive tests and procedures such as angiography and arthroscopy;

"Whereas patients from the Sudbury area have been having MRI examinations in other centres since 1985, when the first unit was installed in Toronto;

"Whereas the MRI scans are now available in all parts of Ontario except northern Ontario—there are 12 units approved in the province;

"Whereas an MRI is needed to maintain the team of neurosurgeons that have been recruited for the Sudbury area;

"Whereas the approval of a unit for Sudbury is long overdue;

"Whereas Sudbury has been designated the north-eastern centre of health;

"We, the undersigned, support the neurosurgeons at the Sudbury General Hospital in their request for a magnetic resonance imaging machine."

I've affixed my name to this petition.

#### LAND-LEASE COMMUNITIES

**Mrs Irene Mathysen (Middlesex):** I have a petition addressed to the Legislative Assembly of Ontario that reads:

"We, the undersigned, petition the Legislative Assembly of Ontario and we respectfully request that the Legislature of Ontario take action on the matter of Bill 21 to protect people living in mobile homes and living on leased lands from being removed from their homes."

I have signed my name to this petition.

#### PROCEEDS OF CRIME

**Mr David Johnson (Don Mills):** I have a petition to the Legislative Assembly of Ontario:

"Whereas it is the right of every Ontario citizen not to be victimized;

"Whereas victims of violent crime and their families have a right to be protected against exploitation by criminals who receive payments for their recollections of their crimes; and

"Whereas such payment should be dedicated to victims of crime; and

"Whereas private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, will ensure that money obtained by criminals as a result of their recollections of their crimes will be paid to the Criminal Injuries Compensation Board to be applied to the needs of and the services for victims of crime;

"Therefore we, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government endorse and support fully private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, and ensure its speedy passage into law."

That's signed by a number of residents of the province of Ontario including in my own riding of Don Mills, and I affix my signature to it.

#### OPP DETACHMENT

**Mr Larry O'Connor (Durham-York):** I am bringing forward this petition on behalf my constituents who are concerned about the preservation of law and order in their community. The residents are concerned about an article that appeared on the front page of the September 28 edition about Brock council wanting to know whether they're going to lose their police station. I've got a resolution from the council dated September 20 calling for this petition to be brought forward:

"Whereas the Beaverton OPP station has been a long-standing, integral part of the Beaverton area; and

"Whereas many officers have established permanent homes in the Beaverton area and have become a strong voice in the community in volunteer and non-profit groups; and

"Whereas the OPP station provides an economic benefit to the Beaverton community and all of Brock township; and

"Whereas the OPP station provides a much-needed policing presence;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that the government of Ontario maintain the OPP station in Beaverton, as closure would be detrimental to the interest of security, safety and the wellbeing of all the residents in Brock township."

I have signed my name to this in full support.

#### PROCEEDS OF CRIME

**Mrs Margaret Marland (Mississauga South):** I have a petition to the Legislative Assembly of Ontario:

"Whereas it is the right of every Ontario citizen not to be victimized;

"Whereas victims of violent crime and their families have a right to be protected against exploitation by criminals who receive payments for their recollections of their crimes; and

"Whereas such payments should be dedicated to victims of crimes; and

"Whereas private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, will ensure that money obtained by criminals as a result of their recollections of their crimes will be paid to the Criminal Injuries Compensation Board to be applied to the needs of and services for victims of crime;

"Therefore, we, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government endorse and support fully private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, and ensure its speedy passage into law."

I'm very happy to lend my support and sign this petition.

**Mr Jim Wilson (Simcoe West):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas it is the right of every Ontario citizen not to be victimized; and

"Whereas victims of violent crime and their families have a right to be protected against exploitation by criminals who receive payments for their recollections of their crimes; and

"Whereas such payments should be dedicated to victims of crime; and

"Whereas private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, will ensure that money obtained by criminals as a result of their recollections of their crimes will be paid to the Criminal Injuries Compensation Board to be applied to the needs of and services for victims of crime;

"Therefore, we, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government endorse and support fully private member's bill 85, An Act to prevent unjust



enrichment through the Proceeds of Crime, and ensure its speedy passage into law."

I'm pleased to sign this petition on behalf of my constituents, and I certainly extend all the best to my colleague Cam Jackson in the hope that his private member's bill will become law.

**Mr Noble Villeneuve (S-D-G & East Grenville):** I too have a petition, which reads as follows:

"Whereas it is the right of every Ontario citizen not to be victimized; and

"Whereas victims of violent crime and their families have a right to be protected against exploitation by criminals who receive payments for their recollections of their crimes; and

"Whereas such payments should be dedicated to victims of crime; and

"Whereas private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, will ensure that money obtained by criminals as a result of their recollections of their crimes will be paid to the Criminal Injuries Compensation Board to be applied to the needs of and services for victims of crime;

"Therefore, we, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government endorse and support fully private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, and ensure its speedy passage into law."

I fully endorse this petition and have signed it.  
**1520**

**Mr Ted Arnott (Wellington):** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas it is the right of every Ontario citizen not to be victimized; and

"Whereas victims of violent crime and their families have a right to be protected against exploitation by criminals who receive payments for their recollections of their crimes; and

"Whereas such payments should be dedicated to victims of crime; and

"Whereas private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, will ensure that money obtained by criminals as a result of their recollections of their crimes will be paid to the Criminal Injuries Compensation Board to be applied to the needs of and the services for victims of crime,

"Therefore, we, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government endorse and support fully private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, and ensure

its speedy passage into law."

I totally support this petition and have signed it as well.

#### INTRODUCTION OF BILLS

##### COUNTY OF HASTINGS ACT, 1993

On motion by Mr Paul Johnson, the following bill was given first reading:

Bill Pr52, An Act respecting the County of Hastings.

##### COUNTY OF GREY ACT, 1993

On motion by Mr Murdoch, the following bill was given first reading:

Bill Pr58, An Act respecting the County of Grey.

##### WORKERS' COMPENSATION AMENDMENT ACT, 1993

##### LOI DE 1993 MODIFIANT LA LOI SUR LES ACCIDENTS DU TRAVAIL

On motion by Mr Tilson, the following bill was given first reading:

Bill 106, An Act to amend the Workers' Compensation Act / Projet de loi 106, Loi modifiant la Loi sur les accidents du travail.

**The Deputy Speaker (Mr Gilles E. Morin):** Do you have any remarks, Mr Tilson?

**Mr David Tilson (Dufferin-Peel):** This bill amends the Workers' Compensation Act as follows:

It replaces the definition of "industrial disease" with a definition of "occupational disease"; stress will be no longer compensable unless it is experienced as a result of an acute reaction to a traumatic event; the maximum compensation payable is reduced from 90% to 80% of the net average earnings of the worker before the injury; top-up provisions in collective agreements that provide compensation to a worker by an employer, in addition to compensation paid under this act, are deemed to be amended so that the total compensation received does not exceed 80% of the worker's net average earnings; a three-day waiting period will be imposed before compensation is payable for accidents.

The bill imposes a restriction on the application of the indexing factor to existing awards made by the board. Indexation will be calculated on the anniversary date of the first payment, rather than on January 1 in each year.

#### ORDERS OF THE DAY

##### *House in committee of the whole.*

##### ONTARIO CASINO CORPORATION ACT, 1993

##### LOI DE 1993 SUR LA SOCIÉTÉ DES CASINOS DE L'ONTARIO

Consideration of Bill 8, An Act to provide for the control of casinos through the establishment of the Ontario Casino Corporation and to provide for certain other matters related to casinos / Projet de loi 8, Loi prévoyant la réglementation des casinos par la création de la Société des casinos de l'Ontario et traitant de

certaines autres questions relatives aux casinos.

**The Chair (Mr Gilles E. Morin):** We were debating section 6.1. Mr McClelland?

**Mr Carman McClelland (Brampton North):** Thank you, Mr Chairman. We're still dealing with 6.1, as you indicate, as I moved yesterday.

Not to revisit the matter in great detail, at that time I indicated that the genesis of this particular amendment was largely the result of concerns raised by my colleague the member for Scarborough-Agincourt, Mr Phillips, together with the member for Wilson Heights. I think the amendment is pretty well self-explanatory, although the rationale for it could perhaps be summarized as we pick up from where we were yesterday.

Essentially, the concern we have is the fact that the government has stated throughout the process of discussion of this legislation and the contracts that will be pursuant to the legislation that—

*Interjection.*

**Mr McClelland:** I thank the member for Grey very much for his best wishes and compliments.

We're concerned that the government is saying, "Trust us; there's no fear in terms of the taxpayer being on the hook for any resultant operating deficit or costs associated with the operation of the casino."

We in the opposition are saying that if that's the case, put your money where your mouth is and enshrine that in legislation. Make it a deemed part of the contract so that it's absolutely clear from day one for any proponents, whoever they may be, at whatever point in time in the history of casino gambling in the province of Ontario, that the taxpayer at the end of the day will not be responsible for any costs associated with the management or the operation of the casino.

It's fairly evident and it's self-explanatory on that point, and we would hope the government sees its way clear to support this.

I remind you, Mr Chairman, that yesterday as we concluded, after some discussion on this matter, the parliamentary assistant repeatedly said, "Trust us; there's an arrangement," which he subsequently qualified by saying a contractual arrangement, a contractual obligation that has been guaranteed by the government for the specific operation in Windsor.

We're saying that's not good enough. I say very candidly that the public would say that as well. The public, as I watched a town hall meeting last night on the people's network, was saying that it wants politicians to come clean and come straight and say things they can stand by.

If in fact you're prepared to stand by this, I say to my friend the parliamentary assistant, put it in the legislation. Allow the people of Ontario to know that you're prepared to stand by what you say and enshrine it in the legislation.

1530

**Mr Ernie L. Eves (Parry Sound):** I believe that when we adjourned just before 6 yesterday, we were still waiting for an answer from the parliamentary assistant as to whether or not he's prepared to give that unequivocal commitment to the people of Ontario that nowhere, under any auspices, under any circumstances, will the debt or liability of any future casino be passed on to the province or the Ontario taxpayer.

We've heard him say very unequivocally that in the Windsor casino project that will not be the case and that there will be an understanding or an agreement that the private operator will be responsible. I believe I've heard him say, but I'm sure he can speak for himself, that there won't ever be a situation in which the Ontario government or taxpayer will be expected to pick up any deficit or liability. If that is so, then why will the government simply not agree to accept the amendment proposed by the member for Brampton North and supported by many people in the Legislature?

**Mr Noel Duignan (Halton North):** Again, I can assure the people of this province that as long as there's a New Democratic Party government, the people of this province will not pick up any operating deficit for the casino in Windsor.

**Mr Eves:** Will he be agreeing to this amendment then, Mr Chair?

**The Chair:** Mr Duignan?

**Mr Duignan:** No.

**Mr Monte Kwinter (Wilson Heights):** The assistant deputy minister at the time, in a question during the committee hearings, when he was asked about whether or not there would be any possibility of the citizens of Ontario being saddled with any losses incurred in the operation of the casino, and notwithstanding the fact that both he and the deputy minister assured us that would not be the case, stated that he did not want it included in the proposal call because it would send the wrong image to the proponents and might be to the detriment of the process.

It would seem to me that this very comment is all the more reason why it should be included in the legislation, and when I say it should be included, I'm referring of course to the amendment proposed by my colleague which states that under no circumstances will the government of Ontario, the Ontario Casino Corp or the taxpayers of Ontario be saddled with any losses incurred as a result of the operation of this or any other casinos.

The question then comes up, why is the government objecting to something that it has unequivocally affirmed? Everybody from the parliamentary assistant to the deputy minister has said that under no circumstances will the citizens of Ontario be obligated to pick up any losses incurred in the operation of the casino. Yet there seems to be a reluctance on the part of the government



to safeguard that by enshrining it in the bill.

Yesterday, the parliamentary assistant said that it would be included in any contractual arrangement. Of course, when we talk about contractual arrangements, that automatically implies that for everything that goes in there will probably be some provision so that it can be, under certain circumstances, circumvented. That is what causes me some concern.

Lawyers and politicians have a term they use, and it's called "weasel words." When you get into a situation where you start negotiating these things under a contractual arrangement, it leaves ample opportunities for lawyers on both parts to make sure there is some kind of escape clause or some sort of provision whereby the arrangement can be modified at a later date.

I have but one question to the parliamentary assistant; it has been asked by my colleagues, my colleagues in the third party and me. If this is a principle that you endorse, if it is something that you have assured the people of Ontario will not happen, that there is no circumstance under which the taxpayers of Ontario will be called upon to pick up any shortfall in the operation of this casino, why would you object to having a provision in the bill that states that this is the case? All we're saying is that we have put forward a reasoned amendment, an amendment that is very simple in its concept. What it says is that under no circumstance will the citizens of Ontario be obligated to pick up any shortfall incurred as a result of the operation of this or any other casino.

It's a simple prospect, it's a particular statement that everybody seems to agree with, yet I have not received a clear and definitive answer from the parliamentary assistant as to why he is not prepared to include it. That is what causes me some concern, because the implication is that if you're not prepared to put it in, then there is the very strong possibility that you're not prepared to stand behind that particular commitment that the citizens of Ontario will not be called upon under any circumstance to pick up a shortfall.

If there is a concern, then I think the parliamentary assistant and the government have an obligation to come clean and to tell the people of Ontario, "There may be a circumstance where in fact we're going to have to come back to the citizens of Ontario and, yes, you are going to have to pick up any shortfall." If that is the case, I think everybody should know about it. If it isn't the case, and we have been consistently reassured by everybody in authority on the government side that it isn't the case, why would you object to making that a part of the bill and outlining very, very clearly to everybody who is getting involved that this is an operation where the operators have a chance to share in the profits but also have to understand that they're going to have to be solely responsible for any losses? I would welcome the parliamentary assistant's response

to that very, very simple concept. Are the citizens of Ontario going to be on the hook or are they not going to be on the hook? I would ask the parliamentary assistant to respond to that.

**Mr Duignan:** It's a pity that the honourable member for Wilson Heights was not part of the negotiating team for the SkyDome, because maybe if he were, we wouldn't have the \$400-million debt that people of the province have to pay for the SkyDome. But I can tell you right now, that's not the way this government operates. We're going to make sure that the proper legal, binding contract states, and I've said it before, that the proponent will be responsible for any operating deficit of the Windsor casino.

**Mr David Tilson (Dufferin-Peel):** The previous answer that was given by the parliamentary assistant was, at least according to the notes I wrote down: "As long as the New Democratic Party is in power, you can trust us. The government of Ontario, the province of Ontario, will not assume the debt." It's a very glib and cute answer, quite frankly, and I don't think the polls suggest that you're going to continue for another term. But let's assume that you're not. Let's assume the possibility that you're not going to resume for another term.

The only guarantee you can give on this situation, which has been suggested by the member for Brampton North, is that there is an amendment and that you accept the amendment that's been put forward by the member for Brampton North or that you tell us there is a contractual agreement with whoever the operator is that the province of Ontario would not assume any debt. Of course, you're then going to say that there's an arrangement. You mentioned yesterday that there's an arrangement. I don't know what that means legally, as to what an arrangement is as to this specific issue.

1540

It brings to mind the lack of trust that's developed particularly since your party has come to power. It's fine for you to talk about the Dome. Whether you're talking of the Conservatives, the Liberals or the New Democratic Party, we're talking about the trust of the people of Ontario. Quite frankly, when you look at the subject of the Dome, which you've raised, when you look at the topic of Teranet, that wonderful topic which we've raised in the past, which I've raised in the past, there is a genuine fear, particularly when a government enters into a partnership arrangement, which I suspect you're suggesting is going on in this province with respect to gambling casinos.

You're going to enter into a partnership arrangement with an operator, and of course we saw what happened at Teranet. As you know, the issue with Teranet is a situation where the province of Ontario was going to computerize the land registry system, an admirable position to take. The difficulty is that you won't tell

anybody who is with that corporation, Teranet, who is going to be in partnership, or what the financial arrangements are.

In fact, in that particular contract that's exactly what happened. The province of Ontario guaranteed the debts of Teranet, the partnership with Teranet. That's the very thing the member for Brampton North is trying to avoid, that if you get into that situation, the taxpayer shouldn't have to pick up the tab for a goof that's been made by an operator you have no control over. Of course, then you're going to plead, "Oh well, you can't see the agreement with the operator because of the privacy legislation."

The problem is that we have no idea of this guarantee that the province of Ontario will not pick up the tab. The taxpayer in fact will be left holding the bag for this debt, a debt that conceivably will happen, particularly if you get a gambling casino in Detroit, particularly if you get a gambling casino around the outskirts of Windsor. That's a possibility as well, but more likely it will be a gambling casino in Detroit. You're dreaming, you're simply dreaming if you think that it's going to be a success.

It's a genuine fear, particularly with the lack of studies that was revealed as a result of the committee process. My goodness, there was one study that you commissioned after the whole project was under way. The one day I sat there, Coopers and Lybrand or whoever it was showed up to present its report, an hour-long report that had been commissioned after the whole project was under way. I must say there's a great deal of scepticism—

*Interjection.*

**Mr Tilson:** Yes, you're right. It doesn't matter, but the fact of the matter is you retained—

**Mr Bob Huget (Sarnia):** You got the wrong name.

**Mr Tilson:** I apologize if I got the wrong name, but the fact of the matter is that you retained a consultant after the decisions had already been made. That is the problem with the whole project. You should have been investigating many of these matters before the project even got going. However, we're now into it, and it's unfortunate we're into it, because we don't really know where we're going.

One of the fears we have is this particular fear that it's going to fail. If it's going to fail, if the government isn't going to be operating it, if you're going to be allowing a private operator to carry on with this process, I think it's fair for the taxpayers to understand that the province of Ontario won't be picking up the tab for a goof that's been made by a private operator. There's no reason for that to take place.

The arrangement answer that you give is simply inadequate, the answer that simply says: "Trust us. There's been an arrangement undertaken." I don't know

what "arrangement" means, and until you tell us about that or whether that's in fact a contract and how long that contract lasts—I mean, is the contract for the duration of this government? This government eventually will fail, and I suspect that will be in 1995, and at that time we may or may not have a gambling casino that's run up an unbelievable debt. Are you going to leave office with this unbelievable debt for the next government, whether it be the Liberal Party or whether it be the Conservative Party—in fact the taxpayer of Ontario—to pay off?

It's simply irresponsible for you to stand in this House and simply say: "Trust us. There's an arrangement." That's inexcusable, Mr Parliamentary Assistant, and I would hope that you would rise in your place and properly answer the member for Brampton North that you'll be pleased to support this amendment because of its sound purpose.

**Mr Kwinter:** The parliamentary assistant made a comment after my last intervention in which he said it was too bad that I wasn't sitting on the committee that approved the SkyDome, because if I were, the problems the Skydome now has may not have happened. I think that all that really does is highlight the problem. He's absolutely right, and we should be learning from our mistakes. To suggest that because it didn't happen with the SkyDome it probably shouldn't happen with the casino is kind of bizarre reasoning.

I would suggest that it's obvious, from the many responses from the parliamentary assistant to my particular comments and the comments of my colleagues both in my caucus and in the third party, that the government does not intend to enshrine this in the legislation.

So I would like to take a slightly different tack and I would like to ask the parliamentary assistant, if you're not going to do it, could you tell us why you don't want to do it? What is your concern with making sure that this is put into the legislation? There must be a reason, because—and I say this, I think, with some certainty—any reasonable person watching this debate, hearing what the issue is, would say, "Why not?"

Everybody agrees that this is the intent of what the government's plan is, that the taxpayers of Ontario will not be at risk. Why would you not include it in the legislation? There must be a reason. Otherwise, as it happened to me, to my surprise, in committee, I made a couple of suggestions and they were accepted immediately.

**Mr Duignan:** Don't you think I'm a good guy?

**Mr Kwinter:** I know you're a good guy. I can't believe it. I made a couple of suggestions. You wouldn't even let me make the argument. You said: "Okay, we agree. Okay, done."

But we now have a situation, when there is a proposition that seems to be so eminently reasonable, that we



include in the legislation provisions that prevent the taxpayers of Ontario from undergoing any obligation of losses in the operation of a casino, that I don't see how anybody could argue that, yet we have the parliamentary assistant, representing the government position, refusing to include it in the legislation.

Again I ask you, Mr Parliamentary Assistant, what is your problem with that particular inclusion? What is the reason that you are resisting what seems to me to be an eminently reasonable amendment?

**Mr Duignan:** I always seem to be going over and over this argument for the last couple of hours in committee of the whole. Again, as I said, we feel that this type of arrangement is better handled through a business contract between the proponent and the government and that's simply the best way to go.

**Mr Gerry Phillips (Scarborough-Agincourt):** Just to continue the debate on the motion, just so everyone I think understands what we're dealing with here, we're talking about playing potentially with hundreds of millions of dollars of the taxpayers' money. Every one of these casinos will cost, according to the testimony we heard, \$200 million to \$300 million to construct, and my judgement is that we're going to be seeing seven or eight of these things around the province in the next three or four years, with an enormous outlay of expenditures.

I think the public demands that they not be finally on the hook for the costs of this operation. I think the public demands that they not be the ones finally paying the bill on this.

I agree with my colleague earlier, surely we've learned that from the SkyDome experience. We've got a wonderful facility in SkyDome and it's an enormous asset for particularly the people of Metropolitan Toronto, but in the end, several months after the new government came in, the province wrote off around \$300 million of SkyDome debt. So if there's any—

1550

**Mr Huget:** Well, who incurred the debt, Gerry? Where were you?

**Mr Phillips:** There's someone heckling. If there's any reason why this should be in the legislation, there it is. I cannot for the life of me understand why the NDP is stonewalling on this thing. What are you hiding? Why will you not put it in here? The more you resist it, the more suspicious, I hope, the public get; certainly the more suspicious I get.

We had testimony at the committee. The staff said: "Listen, we'll tell you we'll include this in the contract. We have no difficulty in including it in the contract. So just trust us. We'll put it in the contract. None of this bothers us, but we don't want it in the legislation. Just trust us to put it in the contract." Well, I don't buy that. If you're saying you will put it in every contract, why

won't you put it in the legislation?

I hope the people who are watching this debate are getting as angry as I'm getting at the answers, because people are no longer prepared to simply accept: "Trust me. I know best." If that's what you intend, there is no reason why it can't be in the legislation; if it isn't what you intend, then let's get it out in the open.

We had testimony at the hearings from a Mr Alfieri, who is probably the most knowledgeable person in the staff dealing with it, again saying we have no trouble with this. "I think we are very much in concurrence with the proposed amendment," he said. "The difficulty we have is to enshrine in legislation and engrave in stone," because we think this sends a "very, very negative message." That's what the testimony says.

While we believe this is exactly what we're going to do, we don't want to tell anybody who may bid on this, because it sends a very, very negative message. So what's going on here? The people who bid on these contracts, you don't want to tell them that this is what you have in mind because they may think this is a very, very negative message.

Well, I say to ourselves and the people of Ontario, if this is what we intend, let's get it on the table. That's precisely the reason for the amendment. I want people who bid on this to know what they're getting into. I don't want them to find out later on or not bid because it's a very negative message. As a matter of fact, the litmus test for me of the commercial viability of these things is if the private sector is prepared to live with the terms of being held accountable for the debt and deficit.

**Mr Duignan:** Yes, it's clear.

**Mr Phillips:** The parliamentary assistant may laugh, but that's what you said was your intent.

**Mr Huget:** No, he said it was clear.

**Mr Duignan:** I said it was very clear.

**Mr Phillips:** Well, put it in the legislation then. He says it's very clear that's what the intent is. Can any of the NDP backbench members understand what the reluctance is to put it in the legislation? You say this is the intent, you say that this is what you want to do, but you won't put it in the legislation.

I say to the public that something is going on here. There must be a reason, because the parliamentary assistant, representing the government, has not given us an answer to the very simply question: If this is what you intend and if you have no difficulty at all with the intent of the motion, why not put it in the legislation so that we all understand exactly what we're getting into?

I am convinced that some of these casinos will work and some won't. I am convinced, as the experience in the US shows, that some of them will be white elephants; tragic but true, some of them will be white elephants.

The public are already being asked to buy something

they never thought they would be asked to buy by Bob Rae and that is casinos across the province. I think many people are desperate. Many people believe this may create some jobs so they're prepared perhaps to accept it; prepared perhaps to accept casinos. But I don't think they should be expected to also pick up the debt and deficit tab.

If the partners that the government finally gets believe strongly in these proposals, then it should be them that are finally on the hook. If the government doesn't agree with that, they should say that. If the government agrees with that, it should be in the legislation.

I return to the fundamental question that we cannot get an answer to. I know you don't want to put it in the legislation but give us a credible response to why it should not be in the legislation and why the public who are taking this piece of legislation as the opportunity for the Legislature to set the terms on which the province is going to embark on full-scale gambling, to set those terms—if this is a fundamental term it should and must be in the legislation.

I go back to the question of the parliamentary assistant: If it's fundamental to the operation of it, what possible reason do you have for not including it in the legislation?

**The Chair:** Do you wish to reply, Mr Duignan?

**Mr Duignan:** Very briefly, again I would point out that there is more than one way of achieving the particular objective, and that is to put it into a legal binding contract. That is what we intend to do with whoever the proponent is. The proponent will be responsible for any operating deficit in the Windsor casino. We're not talking about an Atlantic City-style casino strip; we're talking about one casino in Windsor, and the proponent will be responsible for picking up any operating deficit of that casino.

**Mr Phillips:** This legislation is only on Windsor; it only applies to Windsor?

**Mr Duignan:** Again, at this point in time the government has only talked about one particular pilot project casino in the Windsor area. That's what we're dealing with at this point in time; that through a contract, a legally binding contract with the proponent, the proponent will be responsible for picking up any operating deficit of that casino.

**Mr Tilson:** The problem with this issue is just what you said: This is a pilot project. It may not even work; otherwise you would not be calling it a pilot project. It may fail, and if it fails, why in the world is the province of Ontario going to be guaranteeing this debt?

**Mr Duignan:** It's not guaranteeing any debt.

**Mr Tilson:** Well, that is exactly what it is. It's a pilot project; it's an experiment. If it's an experiment it is totally irresponsible for the province of Ontario to

come forward and say, "We're going to guarantee the debt of an operator that we have no control over." Oh yes, there'll be regulations and requirements, but basically if the experiment fails, and that's what the pilot project is, then the taxpayer of the province of Ontario is going to be stuck with the debt.

Now we have a new clause that's come out. In answer to one of the previous speakers, you've used the words "business contract." You have made it quite clear to us now that there's going to be a contract. The problem I have with that is it gets to a new issue that this debate really hasn't got into, and that is the issue of accountability.

You as a government have an obligation to account to the taxpayer of the province of Ontario for everything you do. Otherwise you shouldn't be governing. You can't do things in secret, and that's what you're going to do. Because, you see, you're going to have a contract that the privacy legislation says you or I or any of the other members of this place cannot look at because of the privacy legislation.

We have no guarantee that clause is going to be in that contract whether it be in the experiment, the pilot project at Windsor, or whether it be in another site such as Niagara Falls, Sault Ste Marie, Ottawa, any of the other various places that have been suggested where there may be a gambling casino.

I quite frankly do not agree with your entering into a contract of this magnitude that we cannot look at. We cannot look at the terms of this contract.

**1600**

I give you the prime example of Teranet. We're now going to be stuck with a debt in this province because of goofs made by your government in not insisting the proper financial arrangements of Teranet be followed through. Why? Because there was a secret contract, a contract that we can't look at, "we" being the members of this House, members of the public and, more importantly, the taxpayer.

Now we're entering into another contract, so you say, which we can't look at. All this amendment is doing is saying, notwithstanding the fact that you're going to have a secret contract that we can't look at, one of the terms of that secret contract is that the province of Ontario should not guarantee the debt of the operator. So it's very fine for you to say that there's a secret contract, that there's a business contract, but the amendment is perfectly reasonable. We're saying that as a matter of law, the province of Ontario will not assume the debt of the operator, which, with due respect—and I don't know anything about this operator. This operator may be responsible. It may be a fine operator. It may be economic reasons such as Detroit that the gambling casino may fail. There may be a whole slew of reasons as to why the project may fail, and keeping in mind it's a pilot project, that it's an experiment. In fact, when



you use those words, you're certainly raising the possibility that it may fail.

So why in the world would you not make it a matter of law, aside from the member for Parry Sound? His question is even more important, not just with respect to the experiment in Windsor, but all the other gambling casinos that are going around the province of Ontario, all the other contracts that you say are going to be signed but which we will not know. You can say, "Trust us"; we will not know. There's no way that we will know because the privacy legislation precludes us from looking at those contracts.

So all you have to do is to make it law: The province of Ontario will not assume the debt of an irresponsible operator or bad economic times or whatever other reason such as competition from Detroit or from some other place that has outdone the plans of the Windsor experiment, the Windsor project. That's all the amendment is asking to do. It's a most reasonable amendment, and I would hope you would take that into consideration.

**Mr McClelland:** The parliamentary assistant, in his remarks that preceded the member from Halton-Peel—I think I have that right—

**Mr Eves:** Dufferin-Peel.

**Mr McClelland:** Dufferin-Peel; I apologize. In his comments just prior to the comments from the member for Dufferin-Peel, he repeated a phrase that I've heard oftentimes in his responses. The phrase is "at this time." He was speaking specifically to the fact that he does not anticipate a strip of casinos at this time. He has said that there will be a casino only in Windsor "at this time." Indeed, throughout the course of the hearings, not all, but virtually all, of his statements were qualified by that phrase, "at this time." I think that, again, it lends rationale for the necessity to legislate clearly and definitively exactly what the government's intentions are. The government repeatedly throws out that little escape clause.

Now, I know why the parliamentary assistant is doing that. He's doing that because, I presume, and I think appropriately, he's an honourable man and doesn't want to be caught out suggesting something that is in fact not the case or proves down the road to be subsequently untrue. I respect him for that. But I think, concurrently with that qualification "at this time," he should understand that members of the opposition—indeed, people from all across this province—have a lot of concerns about what the future holds. You say that there will only be one casino "at this time," the one in Windsor. There could very well be, I think, by admission or implicitly in that statement, a whole change of plans, a whole change of operations, a whole change and a different way of doing business in the future. It's for that reason, and that reason specifically, we feel that this type of amendment is necessary.

I can only, I guess, keep beating a dead horse. I hate to do it, but if the parliamentary assistant can provide to myself and my colleagues in opposition a good and reasonable answer as to why the government is not prepared to proceed with this amendment, the matter would be resolved. But it seems to me that what we have here is a little bit of a stand-off. The member, I'm sure, because he's been given marching orders by his minister, was told, "You get up there and find out whatever escape clauses you need or whatever, but keep the matter at bay and don't allow this amendment."

We're curious as to why. What is it that the government has to hide? I presume they have nothing to hide. I'm going to make that assumption. I want to in good faith suggest that there's nothing untoward taking place. I don't think there is in terms of the contract or the proposals that are being submitted. So if that is in fact the case and you have nothing to hide, lay it out, put it in writing, make it something that's referable in the future for all projects in all locations, thereby not finding yourself caught in the bind of having to qualify your statements by using words such as "at this time."

I think the parliamentary assistant recognizes that, that he can understand why there would be a degree of cynicism. We want something that is definitive and that will stand the test of time, that isn't qualified for the present but in fact will give some assurance to the people of the province of Ontario over the course of the next number of years. Should circumstances change—and the member has said this. The parliamentary assistant has said that should circumstances change, we may not be able to, I suppose—maybe I'd like to hear his comment and maybe he'll respond to this question: Is in fact your concern that things will change and you want to have a situation where in fact the government may be responsible for some of the debt?

If that's the case, surely at that point in time it would be incumbent upon whichever government is in power to come before the people of the province through the legislative process and say: "We're about to change the rules of the game. We are now taking a major course or a point of departure and we're looking at other arrangements or another way of doing business that may in fact hold out some responsibility and financial obligation to the people of Ontario."

If that in fact is not the case, then it begs the question over and over again. Come out and say it, lay it down in the legislation and get on with the work here and provide the people of Ontario with the assurance I think they would want.

**Mr Phillips:** I want to follow up on a comment the parliamentary assistant made on what this bill purports to do. Again, I'm still on the amendment that we proposed, designed to ensure the public isn't going to be on the hook for the debt.

The parliamentary assistant indicated that this bill

really just provides for the Windsor casino. I had read the bill slightly differently, and that is that this bill establishes the legislative framework for all of the future casinos for the province and that once the legislation is passed, the new authority that's established here would be permitted to establish casinos elsewhere, that there would not be a need to come back to the Legislature for legislative approval. The parliamentary assistant said something different, and that is that this bill is just to establish the Windsor casino. Maybe he can clarify for me where the misinterpretation comes in.

**Mr Duignan:** As I said, this is enabling legislation to allow a casino, or casinos, to be established in Ontario. What I said was that this government at this point in time has made a commitment to one pilot project, and that's in Windsor.

I'd also point out to the honourable member for Brampton North that as soon as possible, the contract between the proponent and the government in relation to the Windsor casino will be made public, that part of it that's not subject to the FOI act, just like we made public to the opposition parties today the lease between the government and the art gallery in Windsor.

**Mr Eves:** I'm still a little troubled, as indeed are several of my colleagues on this side of the House, about why the parliamentary assistant will not give us a direct answer to a very simple question. So far the only explanation I have heard is that he has said on numerous occasions now that absolutely as long as there is a New Democratic government in the province of Ontario, the province of Ontario, and hence the taxpayers of Ontario, will not ever be responsible for any operating deficit or liability as a result of a casino being located anywhere in the province. I don't think I'm misquoting or misrepresenting what he said, and if I am, I'm sure he'll correct me.

However, in response to the member for Wilson Heights, he said that the reason why they will not agree to this amendment is because they think the matter is better dealt with by contract than by putting this in the legislation.

1610

I find that very strange. Why don't you do a lot of other things that are in this bill, and a lot of other bills for that matter, by contract as opposed to by legislation? I think the answer to that question is very simple, because when a government believes in something enough and it wants to proceed with whatever initiative or policy it chooses to proceed with during the course of its government, it enshrines into law, which is what these bills are and become, what it wants to accomplish.

I would think that if one is looking out for the taxpayers' interests, and accepting the fact that some day there will not be a New Democratic government in existence in the province of Ontario at some future date, wouldn't you want to ensure that no nasty Liberal or

Conservative government or, heaven forbid, Reform government in the province of Ontario will dump on to the Ontario taxpayer any debt or liability?

Certainly this bill applies to not just the operation of the Windsor casino, but any casino. This is enabling legislation, as the parliamentary assistant has just said, to enable the operation of any casino anywhere in the province of Ontario in the future that the government chooses to proceed with. There has to be an underlying reason. I don't know what the reason is. I don't know if the deputy minister is very adamant that she absolutely will not accept any amendment of this nature. I got the distinct impression when the assistant deputy minister, Mr Alfieri, and the deputy minister, Ms Wolfson, appeared before the committee and explained to us why they didn't like such an amendment, there were two completely different answers given by the ADM and by the deputy minister.

The ADM, and I'm paraphrasing what he said, said we might scare or frighten off potential investors or future operators from the province of Ontario. When the deputy minister responded, she said absolutely that is not the case, that's not the problem. "I don't care what the assistant deputy minister just said," she may as well have said. "I'm the deputy minister and I'm telling you that's not the reason. The reason is because there may be different arrangements for different casinos in the future in the province of Ontario."

I think that's the underlying crux of this matter right here. I think indeed the government may be contemplating different arrangements for different casinos for the province in the future, and indeed it may even be, heaven forbid, contemplating the Ontario taxpayer picking up some or all of the tab or the operating deficit or liability of such casinos under different arrangements in the future, and I think it hasn't decided what it's going to do on that. I'm not suggesting there is some mysterious plot that the government has hatched and it knows exactly what it's going to do in the future, but I think it wants to leave that option open. I think that's exactly why they won't agree to this amendment, because they might want at some future date to hold the Ontario government and the Ontario taxpayer responsible in whole or in part.

We're going to continue to raise this question until we get a very direct and upfront answer as to why. Perhaps we need the deputy minister to visit the chamber and consult with the parliamentary assistant beneath the Speaker's gallery here so we can get a direct answer to a direct question. I've been around party politics long enough to know that there is no way any NDP government would prefer to do anything by business contract as opposed to by legislation, so I'd like to get a direct answer to that direct question.

You say you agree with everything that's in Mr McClelland's amendment, the member for Brampton



North. You say you agree with the purpose of it, you agree with the wording of it, you agree with the intent of it. Under no circumstances would you ever consider doing anything different, ever, ever, ever, but you don't want to put it in the legislation. Why? If there is a reason, we'd like to hear it.

**Mr Duignan:** Again, what's contained in this amendment we'll deal with in a business contract. I've listened to the opposition, both Liberal and Tory, for the last three hours on this particular amendment. I can't speak for what a Tory or a Liberal or the Reform government is going to do when, by chance, we may not be government in the year 2005 or the 2010, but I hope they will have the same common business sense as we've had to make sure that an operating deficit like we had with the SkyDome or Minaki Lodge will never happen again by making sure that there's a proper business contract between the proponents and the operators.

**Mr Phillips:** Just so the Legislature and those who are viewing it are clear, this isn't legislation designed to set up one casino in Windsor; this is legislation that enables a brand-new commission and an arm's-length crown agency, outside the purview of the Legislature, to establish casinos for the future. The parliamentary assistant is perhaps not being as clear as he should be to the public in saying this is just legislation to set the Windsor casino up. Make no mistake about it: The government and the commission do not have to come back to the Legislature to establish any number of casinos around the province. This sets the framework. This will be the last chance the Legislature has to deal with the way casinos are set up in the province.

Something strange is happening here. We cannot get a straight answer out of the government on why it will not include this in the legislation. The public is extremely cynical, and the public will not understand why the government is refusing to put this in the legislation. Make no mistake: The commission can set up five, six, seven, a dozen or more casinos around the province; will never have to come back to the Legislature for approval; can sign the contracts with the operators. We can see seven, eight, nine, a dozen casinos around the province, and according to the estimates out of Windsor each of them can cost between \$200 million and \$300 million. We are not prepared to assure the public that in the end they won't be held accountable and responsible for that debt and deficit.

The argument we're having here, the debate we're having here, is the government's refusal to put in the legislation what it says it wants in the legislation, what it says it wants in the way it's going to operate. If this is the way the government wants the legislation to operate, there is no reason that I can determine why it shouldn't be in the legislation.

The government member has indicated the SkyDome.

SkyDome is a classic example of why at the outset, in legislation, there should have been a clause in here; then all the people involved in it would clearly understand legislatively the ground rules for this. Surely we've learned from the past, and surely the lesson is, let's make absolutely certain—

**Mr Duignan:** That is why we will make the proponent pick up the deficit.

**Mr Phillips:** The parliamentary assistant's barracking. I assume he will choose to answer my question rather than barrack when we're attempting to raise the issue. If he's got an answer, I'd like the answer when I'm finished speaking, not heckling.

**Mr George Mammoliti (Yorkview):** Every time he answers, you yell at him, for crying out loud. You don't let him finish.

**Mr Phillips:** Someone else is in the background barracking from the NDP. Some of you must be embarrassed by the government's refusal to put this in legislation.

1620

**The First Deputy Chair (Ms Margaret H. Harrington):** Would the member address his comments through the Chair.

**Mr Phillips:** Somebody must be embarrassed over there. Surely there is one backbench member who says this is right, this is reasonable and this is what the public expects, that the legislation should spell out that it won't be the public paying out for these casinos that may not work in the future.

As I have each time we've asked a question, I will give the parliamentary assistant all the time he needs, without any comment from myself, to answer this very simple question. This is the legislation that will allow the government to set up any number of casinos. This is the legislation that will allow hundreds and hundreds of millions of dollars to be spent constructing these casinos. This is the legislation that will establish that. Why will you not agree to this amendment that essentially says the public won't be held responsible for the debt and deficit of these casinos?

**The First Deputy Chair:** Are there any further comments to the amendment put forward by Mr McClelland?

**Mr McClelland:** I think he is rising to his feet, Madam Chair. I'll defer. I invite the parliamentary assistant to respond.

**Mr Duignan:** There are many ways of dealing with this particular issue, and the way we've chosen to deal with it is through a contract between two individuals. This is between the proponent and the government. The proponent will be responsible for any operating deficit in the casino.

I can't make this any clearer, but it appears to be very hard for the opposition to understand that. Maybe

they're not used to doing business deals. When we look at SkyDome, it's a clear example that the Liberals have no idea how to construct a good business deal for the people of this province.

**Mr Chris Stockwell (Etobicoke West):** I think what the member does not understand is that not only do we not trust you but the taxpayers don't trust you, your own supporters in the last election don't trust you, the doctors don't trust you—I can go on and on.

**Mr Gary Carr (Oakville South):** Nurses.

**Mr Stockwell:** Nurses don't trust you, 900,000 workers don't trust you, child care workers don't trust you, the Ontario Public Service Employees Union workers don't trust you.

**Mr Bill Murdoch (Grey-Owen Sound):** Farmers.

**Mr Stockwell:** The farmers don't trust you.

**Mr Carr:** The CAW.

**Mr Phillips:** Steven Langdon.

**Mr Stockwell:** Steven Langdon, of course, doesn't trust you, and the Canadian Auto Workers don't trust you.

**Mr Murdoch:** Howard McCurdy.

**Mr Stockwell:** Mr McCurdy doesn't trust you.

**Mr Murdoch:** I don't think McLaughlin trusts him either.

**Mr Stockwell:** I'm not sure about that. But what it comes down to—

**The First Deputy Chair:** To the member, would you please address the amendment.

**Mr Stockwell:** I'm doing my best. What I'm trying to point out through the Chair is that this would be very important to put in the legislation because they've broken their promises on a whole series of issues.

They used to have a lot of supporters who now don't trust them. Nobody would do business with them on a bet. It's important that we understand all this so the parliamentary assistant can understand that practically the entire province doesn't trust them.

We think it's important, considering their track record and considering the fact that nobody trusts them, that they put this in the legislation so that those people involved in this province, who may have their pockets picked when it comes to the deficits and so on of these casinos, would have a certainty that it wouldn't come from their tax dollar.

To the parliamentary assistant, considering the list of people you've broken promises to—and I can get out the Agenda for People and list the promises you've broken there—and considering all those people who don't trust you any more and the fact that your friends don't like you and your enemies are laughing at you, maybe you can understand at that time why this would be important to put into legislation.

**Mr McClelland:** I want to walk through a bit of a

scenario that I think the member for Scarborough-Agincourt began to touch upon. I'm not sure that everybody understands what's taking place here, and I think it bears repeating perhaps over and over again until some light goes on at the end of the tunnel.

The fact of the matter is this: Bill 8, the legislation, sets up a legislative framework wherein a government in the future can set up any number of casinos with a variety of models, a variety of different types of contracts, a variety of types of arrangements. In fact, it's not even really the government per se that can enter into the contracts. It is a corporation established under this legislation that has authority to do this.

I say this with great respect, Madam Chairperson, but you've been in here in question period from time to time when I have put questions to the Minister of Consumer and Commercial Relations with respect to the development of the process and the request for proposals surrounding the Windsor casino specifically. What she will say is: "I don't want to get involved. I want to stand back and allow that process to be delegated to a select group of competent"—and they are—"deputy ministers to make a decision."

But there's an issue here in terms of political accountability, and one of the basic, fundamental issues of political accountability is when the taxpayers' money is involved: It is those of us who put our names on the line and go to the people every few years and allow that consultation to take place with the voter to render judgement on how we have managed the affairs of the province and their money. It is not ours in this place; the money and the resources of this province are the resources of the people of this province. That's what we're talking about.

What this legislation does is delegate to a corporation, a group of women and men, the authority to enter into contracts that will potentially have the taxpayer responsible for debts. The parliamentary assistant will hasten to add, "That's not going to happen; trust me." We're saying that you can't even give that assurance in good faith, in good conscience, save and except "at this point in time," as you say. I say with respect, none of us is prophetic and you don't know what's going to happen down the road. You don't know what kind of "arrangement," to use your own terminology, will be made with the corporation; not with the government directly but with the corporation established by the government, a group of women and men empowered by this legislation to enter into contracts on behalf of the people of this province.

Surely the people who sit on the government side would understand that none of us is here for ever. Many of us in this place will not be back after 1995 or whenever the Premier has the courage to go to the people to have a judgement made on the leadership of this government. When that happens, some of us won't



be here. The opportunity we have to speak on behalf of the citizens of Sarnia or Scarborough-Agincourt or Brampton North or Niagara region is now.

What we have is an opportunity to say to the people of our respective communities, those who have entrusted us with the responsibility of governing this province now and making decisions that will impact not only the affairs of the province today but, in this instance, potentially the affairs of the province for many years to come, that will impact our children and the economic realities for many years to come—what we want to say to them and what I want to say to them is that the decisions made with respect to casino gambling in the province of Ontario will not cost you, not only, as the parliamentary assistant says, at the present time, but will not cost you down the road either; that it will not be for your children or others to pay for decisions that are made not by the government of the day but by a corporation established by the government.

I think that point is very, very significant. This is not a process that will be brought back for review on a contract-by-contract basis. When we establish through this legislation the rules of the game, we are saying to the people of the province of Ontario, "We are setting up a corporation that will have the legal authority to enter into contracts on your behalf." You know what would happen if I were to call a member of Parliament?

Let's just say that I don't run or I'm not re-elected and I call my MPP and she or he is a member of the government. He or she would say: "You know, we can't do anything about that contract because in 1993 the government of the day gave the authority away. They gave it to a corporation. At that point in time, the government had an opportunity to say to that corporation, 'One of the rules of the casino game in Ontario is that the people of Ontario will not pick up the tab,' but do you know what? The government of the day chose not to do that. They said, 'Trust us,' and that government's changed and many of the women and men who've sat in that committee on October 19 and listened to it, quite frankly, were getting tired of hearing the argument over and over again and said, 'Let's get this over with and vote on it and move on.'"

1630

I say that is not good enough. It's certainly not good enough for the people of Brampton North and it's certainly not good enough for the people across this province. Moreover, it's not good enough for the kids in this province who may have to pay the price down the road.

I'm not prepared to allow the government to just get off the hook by the rhetoric of the parliamentary assistant, which is always qualified by his catchphrase, "At the present time," or, "Today we're not contemplating." This is not only about today.

As the member for Scarborough-Agincourt has so

ably set out, this is the legislation that allows an arm, a corporation established by the government, to enter into contracts, not for Windsor only and not for 1993 or 1994 when we get around to inking the paper, but for years and years to come, and that concerns me.

I think there's something very, very fundamental here. Apart from our political argument that we may have in terms of the genesis of this particular amendment, as my friend from Dufferin-Peel says, "We'll let you reintroduce it and say it's your amendment." If you want to take credit for it, fine, that's not the issue. The issue is that we can't give away the right to a corporation, in my opinion, to put the province and the people of Ontario on the hook for potential loss. It's that simple.

There's a very fundamental principle here. I would hope that members of the government—certainly members of the opposition I think are prepared to say this, that we want to go back to the people in our community and say, "You know, we made a decision that we think gives you some assurance and some protection down the road."

That's what this is about. It's not about carving out who's got the right to enter into contracts, whether it's the government or the opposition trying to meddle in their legislative agenda. This is something, and I say it over and over again in the hope that maybe somebody in the government, in the back benches, will begin to understand this: You are giving away, if you don't allow this amendment, the right to control expenditures on behalf of the people in your constituency.

The people who elected you from northern Ontario, from eastern Ontario, from all across this province have charged you with the responsibility to act judiciously and carefully and wisely on their behalf today and for the future. This is not only about today; it's about tomorrow and next year and the year after that.

Providing the rules of the casino game that this government wants to enter into and putting the rules, if you will, into the hands of a corporation without direct legislative accountability, I can predict, I think, fairly reasonably—and I'll say this very candidly at the risk of offending and angering some of my friends opposite, the minister, with whom I enjoy a reasonably good working relationship: The people of Ontario will not accept a government whose minister stands day to day in his or her place and says: "I'm sorry, I've given away the authority to somebody else. It's your money, but I don't want to get involved. I'm the minister"—as my friend from Mississauga West says—"I have the limo and the driver and all the perks, but I'm not going to get involved in the decision-making process."

That's not good enough. I think we need to get involved in the decision-making process specifically on this issue. This is your opportunity to all members in this place to get involved and make a decision. The

decision is simply this, that you will not allow casino operators to leave the bill on the table to be picked up by the taxpayers of the province of Ontario.

Are you in favour of that position? Are you prepared to go back to Brantford or to Rainy River or to Yorkview, Sudbury, Cochrane, the various areas that you represent and say, "You know what? I was prepared to say that we're not going to allow you to be stuck with the tab," or, alternatively, do you want to go back to your communities and say, "You know what? I didn't have the courage to make that decision today." It's that simple. This business of politics is about accountability and about us being responsible for the things that we do.

I say that I for one want to be very, very clear on this matter. I am not prepared to let it go simply without—I hate going over this over and over again—saying to the government, "We'll allow you to delegate the right to a corporation that may cost people money." The parliamentary assistant jumps to his feet from time to time and uses examples and says, "Well, there have been other experiences and you've been guilty of it and the third-party government in times past made mistakes." Yes, but one of the interesting things that I heard for years, and I'm trying to engender a sense with my son, is that when you make a mistake, try to admit it, try to learn from it and get on and remedy it in the future.

I don't remember a lot of things from high school. One of the things that I remember a lot is my sports activity. Reverend Bob Rumball, who is very much involved with the work of the Canadian National Institute for the Blind, spoke once at an athletic banquet and here's what he said. He said there are two types of people in the world. There are the wise and there are the otherwise. That goes back some 25 years or so when he said that, but I'll remember that.

It's very interesting because he said that the wise person understands that when you make a mistake, you admit it and you try to remedy it and make sure it doesn't happen again. The otherwise person says: "You know, I made a mistake, but it won't happen to me again. I can dance out of this one. It's okay. I don't have to do anything about it. I'm going to depend on luck."

We are not prepared to allow the corporation to gamble and try to play out luck for the people of the province of Ontario when the tab could very well be—and I think quite frankly the member for Scarborough-Agincourt, whose judgement I respect a great deal, is being somewhat conservative, if he would forgive me for saying that, in terms of the \$300-million to \$350-million costs.

I predict quite frankly, and let me put this on the record, that the casinos will be double and triple the size that this government will no doubt want to announce shortly for Toronto—the three locales that I

presume they will announce in Toronto, one probably at the CNE, one in the east end and one in northern Toronto, no doubt—some time before the great consultation with the people in 1995, and will cost significantly more in terms of land acquisition, in the size and all of the proceedings that will be necessary to see those projects come to fruition. And you know what? This amendment protects the taxpayer from those projects, from being charged with costs associated with those projects, not only in the first instance of their construction but in the ongoing operation.

I like to be optimistic about virtually everything in my life. I figure that life's too short to not be optimistic. I would hope that if the government entrance into this continues down this path, as it is bound and determined to do, it will meet with a measure of success. But I'm not prepared to guarantee that.

The parliamentary assistant, it seems, is prepared to stand in his place and guarantee to the people of his particular constituency and indeed the people of the province of Ontario that there's going to be no problem in terms of cost down the road. I'm not prepared to make that guarantee here today or quite frankly in perpetuity. I would hope that, with a fair measure of optimism, the projects will be successful. But it may not be, and in the event that it is not successful, let's give, if you will, an insurance policy or a clause to the people of the province of Ontario.

To my friend the parliamentary assistant from Halton North, I know you mean well. I know you're giving the government line on this one, "Today, don't worry." I would ask you, sir, if you're prepared to stand in your place and say that you're prepared, as an honourable gentleman in this place, to give assurances to the people of the province of Ontario, particularly the people of Halton North, on behalf of your government, that they need not worry, ever, about costs.

1640

If you're prepared to do that, I ask you, as an honourable gentleman, to stand in your place right now and say: "On behalf of my Premier, Bob Rae, and my minister whom I serve as her parliamentary assistant, don't worry. I can guarantee you that the taxpayers of the province will never be held accountable for any project pursuant to or under the legislative framework of Bill 8." You can say so at this time, without the qualification of "at this present time on this project." Say it unequivocally. It won't give me any sense of measure, because there's no disrespect to you, sir, I say to the parliamentary assistant. I have the utmost faith in your integrity. But, quite frankly, it's beyond your control, and that's my whole point.

I would dare say that the member for Halton North is not prepared to stand in his place today and make that kind of statement because he is an honourable man and he knows he can't give that kind of guarantee. But you



know what? He has an opportunity to give a guarantee—not his, but a legislative guarantee—to the people of the province of Ontario. That's what we're asking him and his colleagues to do.

I would put that question to him, not to embarrass him, but simply to make the point: Is he prepared to stand in his place today and say unequivocally, "I will guarantee the people of Halton North, whom I represent today, and the people of the province, in terms of any project pursuant to Bill 8, that they won't be on the hook"? Alternatively, maybe he'd like to consult with his minister. I'd be prepared to give him an opportunity to adjourn and say, "No, we can't in good conscience give that guarantee, but maybe we can give them a legislative guarantee."

I'd like to pause for a moment and await the response of the parliamentary assistant.

**Mr Duignan:** I was thinking, I recall my comments yesterday evening. Again, I said I can only speak for a New Democratic Party government. I can't speak for Tory governments and Liberal governments, given their past records and how they dealt with business deals. But I can assure you that so long as there's a New Democratic Party government, the people of this province will not be picking up any deficit for the operation of the casino.

**Mr McClelland:** Let me just say in response to the parliamentary assistant: Sir, you can speak today. You do have an opportunity to speak, and you have an opportunity to speak through the legislation and to incorporate into the legislation an amendment that would speak volumes. You could speak personally to the people you represent and you can speak on behalf of the people of the province of Ontario. I say to you, sir, with the greatest respect, you can speak. You can speak by legislating protection for the people of this province.

**Mr Tilson:** Listening to the parliamentary assistant, he appears to be agreeing in principle with the philosophy that the province of Ontario, or the corporation, which is in fact the province of Ontario, should not be responsible for the debt of the operator; in other words, for the deficit. He appears to agree with that, and I gather the government agrees with that in principle.

Where he varies is that he says, no, it should not be a statutory requirement, it should not be a mandatory requirement that is set forth in this or any other piece of legislation, but that it will be in individual contracts, whether it be with this operator or another operator who's going to operate one of the several Toronto casinos or so on across this province, and that it's going to be a matter of trust. That is going to get back to, again, the question that was asked by the member for Parry Sound: Are you going to give us some sort of guarantee? Are you going to give us some sort of guarantee that this clause that you say is going into this contract will be in other contracts, whether it be under

the jurisdiction of a Liberal government or a Conservative government or indeed another New Democratic government in 1995? We can all be cute in saying that there's no chance, but the fact of the matter is, whatever government it is, will it be mandated? The answer to that is no.

It's a very straightforward principle. Clause (a) of the amendment says that,

"All contracts entered into between the corporation and an operator of a casino shall be deemed to contain provisions stipulating that:

"(a) the operator shall be solely responsible for an operating deficit."

You seem to agree with that principle, but you're simply saying, "No, it shouldn't be a statutory requirement." I quite frankly don't understand that. There are all kinds of pieces of legislation in this province that have been passed over the years that put forward statutory requirements that must be in certain contracts. I can think of the Landlord and Tenant Act, where leases are signed between a landlord and a tenant, and there are clauses in those leases that must be there, because that's the law of this province. Those have been proven to be most reasonable, and there is discretion between the landlord and the tenant to enter into any other form of lease agreements with the exceptions of these provisions. That's all this amendment is asking for.

This amendment is saying, well, you can enter into your contract with the operator, whether it be this operator in this experiment or another operator. We're simply saying that the province of Ontario, the taxpayer of this province, will not be responsible for the operator's debts, for the deficit. That's all we're saying. My goodness, we've got enough deficit going on in this province or this country or businesses that are being operated in this province. People are getting very cynical, and that's been said by many of the debaters before me.

Notwithstanding the admission by the parliamentary assistant that his government agrees in principle that the province of Ontario should not be responsible for a debt, by saying that is he then saying it's possible?

I have two questions for the parliamentary assistant. The first question is, is it possible that this agreement he is talking about, this agreement between the operator and the corporation that he is speaking of, which we won't see but of which he has said: "Trust us. There will be a provision in this agreement that says the province of Ontario won't be responsible for a debt"—is it possible, in a matter of law, that this contract could expire, that this contract, for whatever reason, could be amended to say that, well, we're having trouble in Windsor, and we want to keep it alive and we'll pick up the debt? "Notwithstanding that clause, we're going to amend the agreement, so therefore we're going to pick

up the debt." Is it possible that a contract could be amended, as the first question, this particular contract that you've spoken of?

The second question is the question that the member for Parry Sound has asked several times and I've asked at least once and which, with due respect, you have not given an answer to. Is it possible that the other contracts, if indeed you're going to have other contracts, and I assume that you will, involving other casinos around this province—I don't know how many there are going to be. There have been all these predictions of five or six or whatever different casinos around this province. If the pilot project works, is it possible that those contracts could be different from this one and that there could be clauses put in for whatever reason? Maybe the economic circumstances are different, maybe the whole operation of the casino is different or maybe they have a different proximity to another casino.

Maybe it's a more risky operation. I'm trying to foresee things. But is it possible then that the new contract that would be entered into would be different from this contract that you're asking us to rely on, trusting you that there will be a clause that the province of Ontario won't pick up the debt of the operator?

Those are two questions I would like the parliamentary assistant to answer before these proceedings continue.

**The First Deputy Chair:** Any further comments? No further comments to this amendment?

**Mr Tilson:** I don't know why the parliamentary assistant—those are reasonable questions.

**The First Deputy Chair:** The member for Dufferin-Peel.

**Mr Tilson:** I'm sorry, Madam Chair. Those are reasonable questions that I put forward. One has been phrased differently, I'll admit, and is similar to a question that's been asked, but one is certainly a brand-new question. Is this process that we have in committee of the whole simply when we ask questions? Is the parliamentary assistant going to be silent? They're reasonable questions and I would expect an answer, because I'm going to keep asking them. I'm going to give a speech every time. If you don't answer them, I'm going to keep talking.

1650

**Mr Phillips:** I thought the member for Dufferin-Peel asked a good question, and frankly I'm surprised there wasn't an answer.

I'm going to pursue a similar question. What we're driving at is that this isn't a Windsor casino piece of legislation; this isn't a one-time piece of legislation. It's An Act to provide for the control of casinos through the establishment of the Ontario Casino Corporation and to provide for certain other matters related to casinos.

This is what the people of Ontario are dealing with as

a piece of legislation that will give the authority for this crown corporation to go out and set up as many casinos as it wants. What the member for Dufferin-Peel was getting at is a very fundamental issue. We're being told not to worry: "Just trust the NDP government. There's no problem here. We'll make sure we tell the bidders in the future that they are responsible for the debt and deficit."

What this amendment attempts to do is to incorporate that into the legislation. The reason for doing that is that in my opinion—and this is where I hope the parliamentary assistant is listening carefully, because I'm going to want an answer to this—two to three years down the road, or indeed a year down the road, we could see approval being given not by the government but by this new agency to establish additional casinos. We could see the contract being set between this new agency, called in the bill the Gaming Control Commission, this independent, arm's-length agency—we could see the gaming commission as the body that signs the contract with whichever organization is going to run these casinos.

What I want from the parliamentary assistant is for him to point out to the public where in this legislation is the guarantee that the public won't be held accountable for the debt and the deficit of that. Can he tell me where in this legislation that assurance is given to the public of Ontario?

**Mr Duignan:** Again I make it very clear that what we're dealing with is one pilot project in Windsor. No decisions have been made to expand the casinos beyond the city of Windsor. As I said before, the proponent will be responsible for the operating deficit if there's any in the Windsor casino.

**Mr Phillips:** The parliamentary assistant is either confused—well, he's confused. That isn't what we're dealing with. We're not dealing with the Windsor pilot project. We are dealing with the legislation that establishes all the future casinos for the province. If you just want to deal with Windsor, then throw this bill out and bring in a bill for Windsor and then we could deal with it. But we're not dealing with that, and for him to say that's what we're dealing with, there's a sense of confusion on the government side.

For the public, there should be no mistake: This legislation will enable all the future casinos to open up without anybody having to come back to the Legislature. If I'm wrong on that, the parliamentary assistant should stand up and tell me I'm wrong. This isn't the Windsor bill. Again I go back: It's an act to provide for the control of casinos. Let's be very clear with ourselves and with the public about what we're dealing with here.

I go back to the question I just asked: Where in the legislation is the assurance for the public that as future casinos are established they won't be on the hook for the debt and the deficits of it?



**Mr Duignan:** This issue, as I said before, can be dealt with in many ways. We've chosen to deal with it through the contractual process; that's a contract between two individuals. As I said before, I can assure you that in this bill, while it's enabling legislation to establish casinos in this province, at this point we're only dealing with one casino in Windsor. The contract with whoever the proponent will be will state very clearly that the proponent will be responsible for the operating deficit of that casino.

**Mr Tilson:** I asked two questions before and I got absolutely no response to those questions. I will just revert back to one question.

The parliamentary assistant is making himself perfectly clear that he's going to the contractual relationship between two parties to assure the members of the public, the taxpayers, that they won't be picking up any potential debt that may arise out of this pilot project. I understand that. I may not agree with it, but I understand it.

However, the philosophy is perfectly clear from this government. It seems to be almost disregarding the possibility that after a period of time, unless this contract goes on for ever, and I doubt that because of the terminology "pilot project"—and I'm ignoring the member for Scarborough-Agincourt's statement that this legislation applies to all potential casinos around this province; I'm looking strictly at the pilot project. It seems to me that after a period of time, from the government's point of view, this is going to be a successful operation. Does that mean there will be a new contract? Does that mean this contract will never under any circumstances be amended, that it will go on for ever?

The answer to that is, I would hope, that the contract will not be open-ended, that it will not go on for ever with the same operator, that there may be different operators down the line, for whatever reason. That operator may go out of business; it may be appropriate that a new operator be chosen to operate the casino; there may be any number of things that occur. It may require a new contract, which would be negotiated by a new government, whether it be any of the parties that seem to be surfacing in this country today.

Again I'm going to ask the specific question to the parliamentary assistant: Is it possible that this agreement that will be entered into or is perhaps already entered into with the operator can be amended? Can it be amended now? Can it be amended when it expires? Is it possible that this agreement can be amended, or can it be terminated?

**Mr Duignan:** Like any contract, as the honourable member well knows, they don't go on for ever. I would suspect that at the end of whatever time period negotiated for the contract, we will look at the performance of the proponent or the operator and see whether it lived

up to the obligations of its contract. If it has, I would suspect that the contract will be renewed with the proponent; if it hasn't, I would suspect it won't be.

**Mr Tilson:** I know the parliamentary assistant thought that was a silly question. I know that, but I asked it for a reason, because of course a contract is going to expire. I can't believe that any government, notwithstanding my shots on the Teranet principal, would enter into a contract that's going to go on for ever. I can't believe that. That would be totally irresponsible.

**Mr Stockwell:** Ontario Place.

**Mr Tilson:** Ontario Place is another one, but I'm simply saying that in dealing with this issue—and I'm not looking at the parliamentary assistant in particular—I can't believe this particular government would enter into a contract that would go on for ever, and I quite agree with you. Many of the shots that I take at you—I don't believe you're as irresponsible as to enter into a contract with an operator that would go on for ever.

1700

It is for that reason I'm asking the question that, if you believe in the principle that the province of Ontario should not assume the debt of an operator, then why not make it a statutory requirement? Why not do that? Otherwise you're saying that somewhere down the line, for whatever reason, this contract, the next contract, which could be made by another government, a government that may not be of your same philosophical belief—it could be of a Liberal belief; it could be a Conservative belief; it could be some other belief—might simply say, "Well, it's not part of a statutory requirement, so I'm not going to do it."

Now is the time, if you're going to enter into a project that's going to cost the taxpayer, or could cost the taxpayer, of this province as much money as we fear and has the potential of as much failure as we fear, I hope you would want to make sure it's right in the first place. One of the ways in which you can guarantee that it's right in the first place is to say it's mandatory, it's a statutory requirement that the taxpayer of this province will not be responsible for the debt.

I cannot understand your answer and it leads me to the second question which I hope you'd give me an answer to. The second question has to do with the other casinos around this province that may surface. I gather from what you are saying, it seems to me, that the terms of those contracts may be different from the pilot project in Windsor, for whatever reason: a different part of the province, a different operator, perhaps the experiment in Windsor failed and maybe we must have a different type of contract, perhaps a charitable organization may be the operator. There are any number of possibilities.

My question again to you is: Is it possible that these contracts could be different from the Windsor contract?

If they are, it would seem to me that the clause you promise us will be in could be left out.

**Mr Duignan:** As the member well knows, if a decision is made to expand casinos into other municipalities across this province, of course there will be a different contract with each and every proposal. I can assure the honourable member, as I can assure the taxpayers of this province, that we'll be entering those contracts in a sound business sense which will include a clause that'll make sure the proponent will pick up any operating deficit of any casino located anywhere in this province.

**Mr Tilson:** Would you not agree then, and I understand what you've just said, but would you not agree that by the time these other contracts are entered into it is possible that another government who might not make the same commitment you have could simply leave that agreement out?

You've given us examples of how it happened with the Liberals or the Conservatives or whoever, on different tragedies that have occurred in which the taxpayers picked up the tab. This is your golden opportunity to make sure that won't happen. This is your golden opportunity.

You may not be in power after 1995. You say you will be and that's fine for you to believe that, but you may not be in power after 1995 or whenever you call the next election. That's the problem. You are setting up this thing, this whole plan. It seems to me most logical that you should say it's a statutory requirement, it's a mandatory requirement, that the taxpayer of this province is not responsible for the debt.

Having heard the rationale that the promise you've made with respect to the Windsor project may not be able to be made because you may not be where you're sitting right now, it may be another government, now is the time to grasp on to the opportunity. Having seen that possibility, would you not agree that the amendment that's been put forward by the member for Brampton North is a most reasonable amendment?

**Mr Duignan:** We believe that what's included in the honourable member for Brampton North's amendment can be dealt with in many ways. One of the ways of dealing with it is in a contractual situation between two parties. I can't speak for any government that's elected if we're not elected and I know we're going to be around here until the year 2010, so I don't believe the taxpayers of this province have anything to worry about.

However, say it's not the case, I'd be very surprised. I'd be very surprised at any government getting into a situation like that because, I can tell you, the taxpayers in the following election will turf that government out.

**Mr Stockwell:** To lend your answer any credibility would be certainly overstating anyone's degree of common sense. Your responses are painfully shallow and your defence is equally hopeless. You sit there

completely unprotected from these frontal assaults that bear complete resemblance to fair and reasonable questions. Your responses are just literally hopeless endeavours, an attempt to divert public attention from the issue before us. You sit there and you stand in your place, and it's absolutely embarrassing to see a member stand in his place and try to defend the indefensible, trying to convince all in this province that what he has to say has any credibility or any sense of realism.

The position that's being put forward, I say to the member, is you're tabling a template of what you choose to see the province's casinos operate under. To make the laughable suggestion that you treat these questions with "We'll be in power till 2010" is treating the taxpayers' dollars with complete—

*Interjection.*

**Mr Stockwell:** With complete contempt. Thank you. I thank the member from Brampton. It's beyond speech in some instances how ludicrous and insane and absolutely stupid your arguments are. It really comes down to that. I don't like to use that word, but they're just stupid, stupid arguments.

I put to the member, the parliamentary assistant, the member for Halton North, we in this chamber understand contract law. We understand that two parties can agree to a contract, a binding contract, and we understand the difference between contract and legislation.

But the question I'm asking—and I look across the floor to the member for Rainy River, the one who wrote that damaging report in his younger years about casino gambling. You'd think the member for Rainy River, if he had any sway in this cabinet, would have this kind of piece of legislation built in.

I look to the member for Halton North and say, we understand that agreement can be made between two people. It's called a contract. But to make the suggestion that you give this chamber, you give this Legislature and you give the province of Ontario complete undertaking that you will ensure that no casino ever will be constructed in this province, ever, where the taxpayers will not be on the hook for some losses they incur if it so happens, without including it in the legislation, is bordering on the absolute insanity of your argument.

Can you not see the insanity of your argument when you're saying, "Never, ever will the taxpayers be responsible for debt at any casino at any time in the history of the province of Ontario, but I'm not going to put it in the legislation"? Can't you see the argument that's being made and how phoney and absurd your defence is?

**Mr David Turnbull (York Mills):** I would suggest that if an officer of a public company—and I find it absolutely obnoxious that the parliamentary assistant who has passage over this bill is walking away and having a chat and a joke. This is pretty serious business.



**Mr Kimble Sutherland (Oxford):** Stop your self-righteousness and get on with it.

**Mr Turnbull:** Don't give me any of the self-righteousness. I'm telling you, this is serious business. You are putting at risk the finances of this province.

If an officer of a public company were to put the corporation at risk by exposing it to potential debt by some other company through some activity they'd engaged in without the proper protections, I would suggest that the shareholders of that company would probably have a bona fide case against those officers.

That is what the government is proposing to do here, because it is putting at risk the taxpayers of this province for the liability that could be incurred unless this very simple amendment is accepted. The amendment is very clear and very specific in that it spells out what the government claims is obvious. So why on earth could they have any possible objection to enshrining it in law if they say this is the case? I would like to hear a response from the parliamentary assistant on that argument.

1710

**Mr McClelland:** I'm saddened that the parliamentary assistant sits there and shakes his head and says, "No, I'm not going to answer." The least we could expect is an answer from the government. I recognize it's not always an easy position to be in. I served as a parliamentary assistant in the former government to a fairly flamboyant and fairly notable minister, namely the Minister of the Environment, the member for St Catharines, and it was a difficult position to be in, from time to time, to be called upon to respond.

I would say to you, sir, that it is, however, the responsibility you have. I remind the people of this province that you are paid a stipend because you accepted that responsibility. You draw a salary of some, I believe, \$12,000 a year additional—how much is it?

*Interjection.*

**Mr McClelland:** It's some \$9,000 to sit in your place and shake your head and say, "I don't want to respond." You, sir, are the spokesperson in this place today on behalf of the government with respect to Bill 8. There have been a number of questions put to you. The member for Halton North has put to you a series of questions and you refuse to answer them. The member for York Mills has asked you a question; you refused to answer it. The member from Etobicoke has put to you a question, albeit in a rhetorical format, as is his wont and inimitable style, and you sit there and shrug your shoulders and shake your head and yawn. I have asked you a series of questions. As I recall, I asked you three questions. I'll repeat them and give you, I hope, an opportunity.

Earlier, close to an hour ago, I asked that as an honourable gentleman in this place and an individual

who has taken your oath of office, I believe, seriously, who accepts the responsibility entrusted to you as parliamentary assistant in the carriage of this legislation through the legislative process, you would at least have the courtesy to respond to the representatives of the people of the province of Ontario.

You may disagree with our position. You may disagree with the logic of our argument, which on the face of it I find difficult inasmuch as you haven't provided any direct response to the arguments raised.

*Interjections.*

**The Second Deputy Chair (Mr Noble Villeneuve):** Order. There are a lot of inflammatory comments going from one side to the other and it will serve us no useful purpose.

*Interjections.*

**The Second Deputy Chair:** Order. The honourable member for Brampton North has the floor. I want to remind all other members that interjections are out of order, particularly when you're not in your own seat.

**Mr McClelland:** I can understand the frustration. I'm not condoning it. I have been known from time to time, although perhaps not as frequently as some, to interject inappropriately. But, Mr Chairman, I'm sure you understand—you've sat here as a very effective member of the opposition and asked questions from time to time—that the least you can expect is an answer. You sit there and you get a shrug of the shoulders, you get a shake of the head.

I say to the parliamentary assistant that when you do that, you're not just doing it to the member who asked you the question. Whatever ill will or lack of respect you might hold for myself or any other member of the House, so be it, but we represent a group of people. I represent all of those people in Brampton North. Obviously, not all of them voted for me; in fact, a good number didn't. But I represent each and every one of those individuals to the best of my ability, and from time to time I ask questions on their behalf and I believe that you, sir, have a responsibility to answer them.

I would hope that you would answer my question that I asked earlier. The question was this: Are you prepared to make again many of the statements that you have by removing the qualification "at this point," or "at this point in time"? Are you prepared to do that as a gentleman and as a member of this House, to stand before the people of Ontario and say, "I want to personally guarantee you, as a member, that you don't have to worry?" Alternatively, are you prepared to put it in legislation?

Your argument that suggests, "You can trust us and we'll take care of it" and that there are other ways to take care of it, but yet refuses to respond to the questions with respect to the specifics of those ways, leaves absolutely nothing that members in this place can take

back to their caucus colleagues, to the people they represent in their ridings—some of them in the capacity as critics here literally from across the province, and, I might add, from other jurisdictions as well. They have some very, very pointed and direct questions.

It's not, quite frankly, good enough for me to just go back and say, "My colleague from Etobicoke asked a question and unfortunately the representative, the spokesperson for the government, shrugged his shoulders and shook his head and didn't answer." What the people in my community want to know is, why didn't I push him for an answer? So I'm doing that now. I'm asking you if you will respond to the questions that have been put to you.

**Mr Mammoliti:** They are all waiting to ask you that question.

**Mr McClelland:** The member for Yorkview sort of trivializes and said they're all going to be lined up tomorrow asking questions.

**Mr Mammoliti:** At your constituency office. They are all going to be there.

**Mr McClelland:** The fact of the matter is that many of them do, from time to time, ask me questions, and I feel I have a responsibility to try and address them. Indeed, as critic, I get calls from literally across the province. Some people who call me reside in ridings that are represented by government members, and I find it curious that many of the calls come from ridings represented by government members because they have said when they call that they don't get answers. Maybe that's telling us something here today when the parliamentary assistant's response is a shrug of the shoulders and a shake of the head.

I asked earlier, are you prepared to stand and say that you're prepared to give the guarantee, personally, without the qualifications that you have? I would hope that you'd do that. I would hope you would find within yourself the courage of your convictions as a member, as a parliamentary assistant who draws a salary to fill those responsibilities, to at least respond. You may be challenged on those responses, as you have been today, and no doubt you will be unless you, quite frankly, add some substance to your responses, but surely you owe the people of the province of Ontario, as the parliamentary assistant, as the spokesperson for the ministry that has carriage of this legislation, a response.

You can give a response in whatever fashion you wish, but I would ask you, as an honourable gentleman in this place, to at least respond to the question that I have put, and I'll leave it up to my colleagues to ask for a response again to their questions.

One of the questions I want to ask you, and I'll pause for a moment and hopefully will hear a response, is, are you prepared to give the same assurances as you have without your qualification "at this point in time"?

A supplementary question is, if you're not prepared to do that, why are you not prepared to put it in legislation so that you could, with honour and with your integrity, which I know you cherish, stand in your place and give the assurance that you have at least done your best?

**Ms Sharon Murdock (Sudbury):** Oh, please.

**Mr McClelland:** The member for Sudbury says, "Oh, please," and moans on. I in fact will say to the member for Sudbury that it's because I do have some regard for—perhaps the member for Sudbury would like to put on the record what she just said. I'd be interested in hearing her elucidate on that matter a bit further.

*Interjections.*

**The Second Deputy Chair:** The member for Brampton North has the floor.

**Mr McClelland:** I was just giving the member for Sudbury an opportunity for what I could only consider to be sort of a shot if she wants to take it. I would suggest that she might want to do so and put it on the record and live by the comment. Be that as it may, she's neglected to do that, and that's fine.

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** You need a thicker skin.

**Mr McClelland:** Not at all, I say to the Minister of Environment and Energy. I was just giving her an opportunity. I in fact have no difficulty with it. I just believe that the member for Sudbury, if she feels strongly about a matter, would want it to be a matter of record.

I'm wondering if the parliamentary assistant would stand in his place and indicate that he is prepared to make the same statements without the qualification "at this point in time."

1720

**Mr Duignan:** I'm going to be repeating myself again, as I've answered this question a number of times over the last couple of days. What I've said was that there are many ways of dealing with this particular issue. The way we chose to deal with it is through a contractual arrangement between the two parties. In that contractual arrangement will be that the proponent will be responsible for picking up any operating deficit in the casino. I can guarantee you that if the decision of the government of the day is to expand the casinos beyond that of Windsor, I will ensure that this particular clause will be in any contractual arrangement.

**Mr McClelland:** Then I ask the question, why not put that assurance in writing? Why not put into the legislation the assurance that the arrangement, as you refer to it, will be a point of law as opposed to a point of assurance given by the parliamentary assistant?

**Mr Duignan:** We are dealing with this issue through a contractual arrangement. How more can I answer that



question? It'll be in the contract.

**Mr Tilson:** The problem with what the parliamentary assistant is saying is that he's simply saying it's going to be in a contract. The amendment deals with the very contract he is speaking of. The member for Brampton North is saying "all contracts," including the contract you speak of, including a contract that could be negotiated down the line with another operator—

**Mr Stockwell:** In 2039.

**Mr Tilson:** The member for Etobicoke West says in 2039; whenever—or a contract with respect to Windsor or Toronto or Sault Ste Marie or Ottawa—

**Mr Stockwell:** Or Alton.

**Mr Tilson:** —or Alton, in all the various places that are being suggested and contemplated as being for the location of a casino. That is his point: The words are "all contracts." You haven't dealt with that adequately, Mr Parliamentary Assistant. The member for Brampton North has referred to "all contracts," not just the contract you've spoken of with respect to the Windsor experiment. That is your response. You simply say it's going to be in the contract involving the Windsor project.

Well, that isn't what the amendment deals with. The amendment specifically deals with "all contracts": now, in the future, in 1995 and after 1995, after the year 2000, whenever you want to say that you're going to be vacating this place. Quite frankly, with the attitude you've been taking I hope it'll be a lot sooner. With due respect, it simply says "all contracts." That includes all contracts with respect to Windsor and all contracts with other municipalities; a most logical proposal.

If you believe in the principle that the taxpayer of the province should not be responsible for the debts, the "operating deficit," to use the words of the amendment, of the operator, then you should make it a statutory requirement, you should make it a mandatory requirement, because to do anything else simply says it's possible that you might think the opposite or another government might think the opposite.

That's the very fear you've heard and I've debated with the parliamentary assistant in another forum than this with respect to Teranet, the whole issue of Teranet: the fear that we don't know what's going on, that we don't know what's in those contracts. You may say that this contract is going to be renegotiated in Windsor, and you've indicated it will be, but you may be in the opposition by that time and you'll never know. You'll never know what's going to be in that contract because of privacy legislation. You—you as a member of the opposition or you as a member of the public or you as a taxpayer anywhere in this province—simply won't be allowed to be informed because of our privacy legislation.

That's why the amendment is being suggested. That's

why the member for Brampton North is suggesting to you by his amendment that it be made a mandatory requirement that such a clause be put in all the contracts, not just the contract you've spoken to.

You've admitted today that it is possible that your government or another government could amend the Windsor contract. You've admitted that your government or another government, albeit I would agree an irresponsible government, could take this clause out down the line. You've admitted that in another contract with another location, another municipality across this province could take it out or the government negotiating a contract for that particular municipality, albeit an irresponsible government, could take it out. You've admitted that. This amendment is to preclude an irresponsible government, whether it be a New Democratic government, a Conservative government or a Liberal government, but an irresponsible government, allowing that to happen.

You've stood up in this place and you've criticized the opposition members for SkyDome. You talked about the millions of dollars that have been wasted because of irresponsible positions. That's why this amendment is being proposed: to avoid that situation. For the life of me, I can't understand why you cannot guarantee to taxpayers now and in the future that this will not happen.

But you've left it open. By turning this amendment down, you have left the door open for this to happen, that the taxpayer could in some situations, either because of an economic situation in the particular municipality or because of an irresponsible government—and we all acknowledge, particularly the members of the opposition today, that there are irresponsible governments; you've indicated that there are irresponsible governments. You in your responses have talked about the Conservative government in Ottawa. That's a favourite heckle, particularly to the Progressive Conservative Party in Ontario, that the federal government in Ottawa is an irresponsible government. I don't agree with you, but having acknowledged that there are irresponsible governments, that's why this amendment is being proposed, because governments are irresponsible.

I have news for you. Your government has proven to be irresponsible in many matters in this province, and that's exactly why the member for Brampton North has put forward this amendment. If you're asking whether he trusts you, no, he doesn't trust you. He's never going to see the clause in that agreement, and do you know why he's not going to see it? Because of the privacy legislation. As a private citizen I will never be guaranteed that this clause exists. Why? Because of the privacy legislation. The privacy legislation precludes anyone, whether it be a member of the opposition or a member of the government, any individual, from seeing

to see the clause that you have spoken of. That's why one of the requirements should be that all contracts now or in the future should have that statutory requirement that the member for Brampton North has been suggesting, that the province of Ontario, the taxpayer of the province of Ontario will not be responsible for any debts.

Having looked at the issue of Teranet, which we've examined in this House and in committees, or when we look at the example of non-profit housing—there's an example. Where the province of Ontario guarantees every mortgage in the province of Ontario that a non-profit housing development undertakes, that debt currently is well in excess of \$7 billion that the province of Ontario is guaranteeing.

What happens if the value of these houses, the fair market value of these non-profit housing developments decreases? They have already. I can tell you that there are many buildings across this province where the building has been purchased for a certain amount of money and now, because of the recession, it's worth considerably below the value of the mortgage that the province of Ontario has guaranteed.

If there were power-of-sale proceedings, the province of Ontario would lose an unbelievable amount of money. The taxpayer of this province is going to be left holding the bag with respect to the failed non-profit housing developments that are going to occur in this province.

1730

Teranet is another example. Teranet has already proven that it's failing. Real/Data wasn't able to come up with the financing. They had three opportunities. The Minister of Consumer and Commercial Relations for some reason has failed to inform this House that Real/Data is unable to come up with the financing that it agreed to in the original contract.

The contract was breached. Yet we continue on with this experiment of the computerization of our land registry system, knowing full well that the taxpayer of this province is going to be left holding the bag.

Now we've got another adventure, the casino adventure in the city of Windsor. The fact of the matter is you cannot give us a guarantee, whether it be to the members of the opposition or whether it be to the taxpayers of this province, that they will not be left holding the bag in the event the casino project in the city of Windsor, the pilot casino project in Windsor, fails.

I would hope that the parliamentary assistant would instruct the members of his caucus to vote in support of this amendment, because to do otherwise, you cannot provide that guarantee. We've already listed a number of examples where the taxpayer is getting burned right now, and that's going to continue with this project.

**Mr Murdoch:** I've been listening to this debate all afternoon and Noel, or the parliamentary assistant, seems to be agreeing. Now I have a motion here and I want to make sure this is the right one, and maybe he can correct, but it says:

"I move that the bill be amended by adding the following section:

"Liability for casino operation

"6.1 All contracts entered into between the corporation and an operator of a casino shall be deemed to contain provisions stipulating that,

"(a) the operator shall be solely responsible for an operating deficit; and

"(b) the corporation shall not assume any debt or liability resulting from the operation of the casino."

That's what we're talking about. Is the reason that the government doesn't like this because it says at the top it's a Liberal motion? I don't know. And it's got Carm McClelland's name on it. Is there a problem with his credibility? Is that it? I notice the parliamentary assistant said "Windsor."

*Interjections.*

**Mr Murdoch:** I'm asking them if there's a problem here with you. If that's the case, maybe we could add somebody else's name to this and you would like it. Maybe if I put my name on it here—I'd have to change that "Liberal motion" at the top, but maybe they'd allow me to do that.

**Mr Mammoliti:** You're a little more credible.

**Mr Murdoch:** It doesn't mention anything about Windsor in here. It's "An Act to provide for the control of casinos through the establishment of the Ontario Casino Corporation and to provide for certain other matters related to casinos." So we're talking about all casinos, not just Windsor.

The parliamentary assistant, every time he stands up, says he agrees with this, but then he won't vote for it. So I would like him to stand up and tell us again if there's a problem with who put the motion through because we can change that, because everybody over here would like to see it go through, and I think everybody over there must.

I mean, only common sense would say that this was a good amendment. I can't understand why he wouldn't accept it, other than maybe there's a problem. It may be the colour of the paper you put it on, I don't know. It's not red, I noticed that. Maybe the parliamentary assistant could stand up and really tell us what the problem is. Let's not talk about Windsor or anything else, because the bill doesn't talk about Windsor, it talks about casinos. So would you please stand up—there you are, you see, "We've got a majority and that's the way we operate."

Maybe George would like to put his hand up and help us out.



**Mr Mammoliti:** Have you read the bill?

**Mr Murdoch:** Get your parliamentary—I've read this, this is all that matters. I notice the bill does not talk about Windsor, George.

**Mr Mammoliti:** Have you read the bill, Bill?

**Mr Murdoch:** Yes, my name's Bill, thank you very much. If the parliamentary assistant would please stand up and explain to me, because we've been going around and around here, talking about this, and tell us, is there a problem with who put the amendment in? Could he answer that?

**Mr Duignan:** To my dear friend from Grey-Owen Sound, I have no problem with the integrity of my good friend from Brampton North. Indeed, he has a good deal of integrity. I can assure my honourable friend from Grey-Owen Sound that what's being proposed in this amendment is being proposed in the contractual agreement between the two parties.

**Mr Murdoch:** We have one thing settled then: It's okay if Mr McClelland makes an amendment. I don't understand what the problem is by putting this amendment in. If it's going to be covered in the contract, then let's put it in and then we can get on with the next one. We're going to be here for three weeks debating this unless you can come up—sure, I hear him shake his head no because—

**Mr Stockwell:** You hear him shake his head?

**Mr Murdoch:** Well, I heard something rattle there, but I'm not sure what it was. But the problem is, what you'll do is just say, "Okay, we're going to come in here and we'll force you to go on to the next one." We don't want to have that and I don't think you people want to do that all the time. You've been doing that quite a bit lately, but maybe this is an important bill and you won't do that.

Stand up and tell us what the real problem is. Just because you have a contract with the casino in Windsor or whoever's going to run that, what about the other casinos? This bill covers casinos—it's plural—so explain that situation.

**Mr Duignan:** To the honourable member for Grey-Owen Sound, I've already explained on and off over the last couple of days that indeed what's proposed in this amendment will be dealt with in the contractual arrangements between the proponent and the corporation.

**Mr Murdoch:** Is that in all cases of casinos, if there happens to be one on Wasaga Beach, if there happens to be one on one of the boats that sail out of Owen Sound?

**Mr Duignan:** Again, to the honourable member for Grey-Owen Sound, as we're dealing with only one casino at this point in time, the Windsor casino, it will be in the contractual arrangements for the Windsor casino. If the government of the day wishes to expand the casinos to any other municipalities in this province,

the same clause in the agreement will stand for any casino.

**Mr Stockwell:** Well then, why not put it in the legislation?

**Mr Murdoch:** Thanks for the help from the member for Etobicoke. But that's right: Why not put it in the bill? What would be the problem of having it in the bill? You'd shut us up over here. Wouldn't that be nice?

**Mr Mammoliti:** I don't think we could ever shut you up.

**Mr Murdoch:** There's George. He doesn't think he can shut us up. That's fine. You would help to do that. You don't have a good reason why you won't put it in, because the act is not talking about Windsor casinos, it's talking about casinos in Ontario. That's the problem. Can you not understand that, Parliamentary Assistant? We're talking about an act that covers all casinos in all of Ontario; you're talking about the ones in Windsor. That's fine if you want to make a contract with whoever operates the one in Windsor, but this amendment would cover all of them for all of Ontario. You never explained the difference there. Maybe I'll let you try that.

**Mr Duignan:** Again, to my good friend the member for Grey-Owen Sound, there are many ways of dealing with many subjects, and this particular way you can deal with it through legislation or you can deal with it through contractual arrangements. We're dealing with it through contractual arrangements.

**Mr Stockwell:** But why?

**Mr Duignan:** I love listening to the member for Grey-Owen Sound and the musings from the member for Etobicoke West, but as I said, we are dealing with these particular items contained in this amendment through contractual arrangements.

**Mr Murdoch:** So the bottom line here is that you're telling us on this side of the House that we should trust you, is that right? Is that what the bottom line is? Can you answer me that?

**Mr Duignan:** Yes.

**Mr Murdoch:** We've got something done today. The parliamentary assistant is asking us to trust him. He just said that. Now that you've said yes, that's the first thing you've said today. You've answered a question honestly, I think, because the other ones have been sort of telling you this and that. Now we can talk about all the things we should trust you with. That's going to bring everybody in here and everybody's going to have to talk now for an hour or so to tell how we can't trust you.

**Mr Duignan:** What your government did and what all the other governments did.

**Mr Murdoch:** We're not worried about what our government did or what the Liberals did. They're not in power now. You guys have got to figure that out over

there: You happen to be the government. I know there's no one in Ontario wants you to be the government, but you are the government and you have to do some things that help everyone, and now you're telling us that we should trust you?

**Mr Gordon Mills (Durham East):** Where did you get that idea from, Bill?

**Mr Murdoch:** That you are the government?

**Mr Mills:** No, no.

**Mr Murdoch:** Somebody told me that. It's hard to believe, I understand that, the member from wherever, from one of the Durham areas. I know it's hard to believe you are the government, but I tell you, it's true, guys.

**Mr Eves:** It's even harder for us.

1740

**Mr Murdoch:** Yes, that's true, it is harder for us to believe that too, but it is true and you are the government, and for another year or whenever you decide to let the people tell you.

Now we've found out that the reason you don't like this amendment—and unfortunately the member from the Liberal Party is not here right now, but I'm sure he's listening. He's listening; there he is up there. It's not because you don't trust him; we found that out. It's because you want us to trust you.

**Mr Mills:** Trust us.

**Mr Murdoch:** That's trouble, boy. I mean, I'd love to trust you. As a person, I could trust the parliamentary assistant, but when he gets in with the rest of the socialists, then they have a problem. We all have a problem over here, trusting you. If that's the only reason you can tell me that you can't put that into the bill, then we have problems. We really have problems over here, and I don't think we're going to solve them.

I'm sorry, Parliamentary Assistant. You, as a person, I can trust, but when you get with the rest of the socialists, we're in trouble, as everybody in Ontario knows. I'm glad, though, that we got out of you that that's why this amendment is no good: because we should be trusting you.

**Mr Stockwell:** Quickly to the parliamentary assistant: Will you guarantee the taxpayers of the province of Ontario that they will not have to underwrite any losses to casino gambling on native casino gambling or ferry boat casino gambling? Will you give them that same undertaking?

**Interjection:** How does he know?

**Mr Stockwell:** How does he know? He just spent the last two hours guaranteeing us.

**Mr Duignan:** Again, to the member for Etobicoke West and indeed to the member for Owen Sound, we're dealing with the casino in Windsor. The contract with the proponent in Windsor states that the proponent will

be responsible for any operating deficit. If the government so chooses to expand the whole question of casinos into other municipalities in this province, I would suspect that particular clause will carry forward into other contractual agreements.

**Mr Stockwell:** Now it's very apparent what's happened. Mr Noel Duignan, the member for Halton North, is suggesting all along that he would give us an undertaking that the government would guarantee that there would not be any—

*Interjections.*

**Mr Mammoliti:** Hurry up.

**Mr Stockwell:** I want to make sure he hears the question, Yorkview. Just hang on.

All day, I say to the member for Halton North, you've been guaranteeing us that the taxpayers would not underwrite the losses at any casino. I just happen to say "native casinos," and you've changed your tune. You're shaking your head no, but you did, if you'll check Hansard. You have changed your tune.

I ask you directly: Will you give them an undertaking that the taxpayers will not underwrite the losses at native casinos?

**Mr Duignan:** Again, to the member for Etobicoke West, I can say to him that the taxpayers of this province will not be picking up the operating deficit of the casino.

**Mr Stockwell:** No. The question is native casinos.

**Mr Duignan:** I'm not aware of a native casino in this province. What we're dealing with is the casino in Windsor. The contractual arrangement with the proponent from Windsor will simply state that the proponent will be responsible for the deficit, if any, of the casino in Windsor. I would suspect, if a decision is taken by this government or future governments, that that particular arrangement will be in any contractual agreement.

**Mr Stockwell:** Just quickly, through you, Mr Chair: Let's get this clear. When you make up stories, the trouble is you've got to remember what you made up. Earlier when you answered questions in this House, you said that you gave a guarantee that no casino anywhere would receive any moneys from the province for its losses. That's what you said, and you said you'd give us that undertaking through contractual agreements. I ask you specifically about native casinos, and you've changed your tune.

I ask you directly: Will this government, will you, will the minister, will anybody give the taxpayers of the province of Ontario an undertaking that they will not be subsidizing any future native casinos?

**Mr Duignan:** Again, there are no native casinos in the province of Ontario. Again, I'll say to the member for Etobicoke West that the taxpayers of this province will not be responsible for any operating deficits of the casino.



**Mr McClelland:** I'm curious as to the parliamentary assistant's statement that there are no native casinos. That in point of fact is the case as of today—to use his words, at this point.

Parliamentary Assistant, do you know what Sodak is, S-o-d-a-k?

**Mr Duignan:** To my honourable friend the member for Brampton North, at this time I don't.

**Mr McClelland:** If you would undertake to find out, as parliamentary assistant, what Sodak is and who owns Sodak and then maybe come back to us with respect to the answer on native gaming, I would be interested in that answer. Maybe you can undertake to do that as soon as possible when we return to this issue, perhaps a few days out.

**The Second Deputy Chair:** I want to remind all members we're dealing with an amendment here, section 6.1. This may or may not be relevant, but we would like very much to stick to the amendment. The member for Scarborough-Agincourt.

**Mr Phillips:** The debate this afternoon has, for us in the opposition, heightened our concerns about why the government is refusing to put this amendment in the legislation. In answer to my colleague from Etobicoke West, it's becoming, I think, increasingly clear that the government is unwilling to put in the legislation the same guarantees that you indicated you were prepared to ensure future contracts had. I will just say that as the afternoon has gone on, you have indicated a rather different tune. You said, "Well, perhaps future governments might include this guarantee in the contract."

I think the people of Ontario should realize we are not dealing with the Windsor casino in this bill. The Windsor casino is a part of the bill, but every future casino in this province, when this bill is passed, can be introduced into the province with no legislative agreement, no further legislative authority. This bill sets the entire legislative framework for all the future casinos. I have personally, as I've said, no doubt that we're going to see several casinos introduced in the province, and they can do that, never coming before the Legislature again.

My belief is that the parliamentary assistant is not being as forthcoming as he should be. He's saying, "We're dealing just with the Windsor casino." We're not. Does anybody in this Legislature believe we are just dealing with the Windsor casino with this Bill 8 except the parliamentary assistant? Does anybody else believe this is just the Windsor casino? It isn't. It's all casinos, and there is no doubt that another casino can be approved with this legislation, never having come to the Legislature, that the arm's-length, independent agency can sign a contract with whoever they agree is the person they want to operate the casino and that contract will never come to the Legislature. They could do it legally, without any question of a doubt, without a

provision in that contract guaranteeing that the province won't pick up the debt and deficit. All of that can be done legally. There is no assurance in this legislation that that won't happen.

The public, I think, should understand that. I think the public ultimately will be as outraged as we are that that will be permitted in the legislation. The contract can be signed without it ever having come to the Legislature. Another casino can be approved without it ever having come to the Legislature, and that contract can in the end have the taxpayers of this province assuming the debt and deficit.

Yet we've heard through this entire debate the parliamentary assistant saying: "That isn't our intent. We believe the way the casinos in the future should operate is with the same assurance" that I gather will be in the Windsor contract.

I cannot for the life of me understand why the government is refusing to put this in legislation. There can only be one answer, and that is that the government contemplates future contractual arrangements that don't have it. There can be no other answer. "Trust us. We're going to make absolutely sure it's in the contract. Believe me, it's going to be there, but we don't want it in the legislation," is not an answer. That's not a logical answer, and I don't know who in the government back bench is buying that argument.

1750

If it is the government's intention that all future contracts for casinos have that provision that the taxpayer's not on the hook for the debt and deficit, if that's your clear intention, there is no reason to not have it in the legislation. The public may think the legislation doesn't deal with those sorts of specific areas, but the legislation deals with things like how old you can be to go to the casino. It deals with, "The corporation shall post in a prominent place...a copy of the rules of play." There are all sorts of detail in the legislation, but something this fundamental the government doesn't want in the legislation.

I say to all of us, is there any logic to the parliamentary assistant's answer? There isn't to me. If you say this is how we want all future arrangements to work, if you say this will be in all future contracts, I say the only way to guarantee that is to put in the legislation. Otherwise, this commission will look at the legislation and say: "These are my marching orders. I, the commission, with this legislation have the legal authority to enter into contracts. I have the legal authority to establish new casinos." Now, I might inform the government I'm going to do that, but legally they have that authority and they have the authority to set the relationship between the commission and the operator. Without that provision in here, the commission has every right to, in the end, get the taxpayer on the hook for the debt and deficit of the casinos.

In government, you may think it's acceptable to the public to say, "Trust us," but for those people who are listening to this debate, we're talking about literally hundreds of millions of dollars. Each of these casinos is going to cost between \$200 and \$300 million, and there are going to be seven or eight of these things at least, so we're talking a public expenditure of perhaps \$2 billion. The public, I will tell you, has enough difficulty accepting casinos.

It was not too long ago that the NDP had a belief that this kind of gambling was a tax on the poor. Many of our elements in the public are having real trouble accepting the concept of casinos. Make no mistake about it: There are jobs created by this, there's revenue created, but there are problems created by this, and all of us understand that. The public is having difficulty accepting that. Then you're asking them to take another real step, that in the end, without this amendment, the public may very well be held accountable for the debt and the deficit of these things.

For those of you who have looked at casino operations around North America—I happened to sit on the committee for a couple of weeks of hearings, and I was a bit amazed by the enthusiasm for it. It's almost like a gold rush; communities are really anxious to have these things. But make no mistake: There is going to be a proliferation of casinos around North America because every community wants them now. And where does that lead you? It leads you to the fact that some are going to work and some aren't going to work. There is no doubt about that. You look at most of the neighbouring US communities bordering Canada and you can see them all looking at it. Montreal, as we all know, opened a very major casino recently. Any sensible business person would recognize that we are embarking on a high-risk proposition now. Some will work and some won't work.

*Interjection.*

**Mr Phillips:** There's the Minister of Finance coming in and barracking about high risk. There is no doubt. Why the Minister of Finance, of all people, would not insist in this legislation that the taxpayers not be on the hook for the debt and deficit—

**Hon Floyd Laughren (Minister of Finance):** It's built in.

**Mr Phillips:** The Treasurer's saying it's built in. I will tell him, I've been there. It is not built in, Treasurer. He thought it was built into the legislation, but it's not built into the legislation. I'm glad the Minister of Finance has arrived here. The home viewers can't see that, but the Minister of Finance said that guarantee's in the legislation. I will say to the Minister of Finance that it's not in the legislation.

**Mr Duignan:** It's just a commercial from the guy that built the SkyDome.

**Mr Phillips:** The member across is talking about SkyDome. It's exactly because of the SkyDome that it should be in here; exactly.

The Minister of Finance is confused about the legislation. He didn't realize that this guarantee to the public was not in it, so it's useful that the Minister of Finance has now interjected, albeit out of order, to say that he believes the legislation should have that guarantee in it.

The reason for this entire debate is that we are talking about substantial amounts of public funds. We are talking about the risk that the public will be on the hook for an enormous debt and deficit, and the government is saying this to the opposition: "We agree that the public shouldn't be on the hook but we won't put it in the legislation. Trust us." There's something wrong here.

To the parliamentary assistant, what did you mean when you said, "Some future government I am sure will make certain that it's in the contract"? Earlier, you assured us there was some mechanism that it would be in all the contracts. Now I heard you say in response to the member for Etobicoke West that you felt that some future government would make sure it's in there. Why did you equivocate on that, and why would you not acknowledge now that there is no mechanism to ensure it will be in future contracts except good faith? Why will you not now acknowledge that it is necessary to enshrine this in the legislation?

**Mr Duignan:** To the honourable member, we have no problem. We'll make sure that clause will be in the contract, that the proponent will pay for the operating deficit, but I can't speak for future governments. Given the past record of that government and the irresponsibility it had in such projects like SkyDome, it could be possible.

**Hon Shelley Martel (Minister of Northern Development and Mines):** I move that the committee rise and report.

**The Second Deputy Chair:** Miss Martel has moved that the committee rise and report. Is it the pleasure of the House that the motion carry? Carried.

**The Acting Speaker (Mr Noble Villeneuve):** The committee of the whole House begs to report progress and asks for leave to sit again. Shall the report be received and adopted? Agreed.

It now being 6 of the clock, this House stands adjourned until tomorrow, Wednesday, October 20, at 1:30 of the clock.

The House adjourned at 1759.



## ERRATUM

No.	Page	Column	Line	Paragraph should read:
70	3554	2	19	<b>The Acting Speaker (Mr Noble Villeneuve):</b> The committee of the whole House begs to report progress and asks for leave to sit again. Shall the report be received and adopted? Agreed.







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# Official Report of Debates (Hansard)

Wednesday 20 October 1993

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Mercredi 20 octobre 1993

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
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Wednesday 20 October 1993

The House met at 1332.

Prayers.

#### MEMBERS' STATEMENTS

##### FERRY SERVICE FEES

**Mr Hans Daigeler (Nepean):** It appears the Minister of Transportation is afraid to meet my questions in the House, since he's absent most of the time these days, so I have to ask him through this statement.

Minister, is it fair to charge substantial new fees for ferry services in eastern Ontario without any prior study on how this measure will impact the local economy? The people of Howe Island, Wolfe Island, Simcoe Island, Amherst Island and the Glenora-Adolphustown community are still waiting for an answer.

A few days ago, I received a letter from a 15-year-old student on Wolfe Island. Here's what she says:

"We do not pay to use the 401 or Highway 2, and that is exactly what the Wolfe Island ferry is—a highway.... Residents who work in Kingston will be forced to dig up an extra \$1,500 a year just to get to and from work.... Young children will also be affected by this decision. Their parents will not want to pay the extra money to get them to sports and other activities in the city."

I call on the minister and I call on the Premier to cancel the ferry fee increase or at least to postpone the implementation of the new fee until an economic impact study has been done.

##### SALE OF PAPER MILL

**Mr Leo Jordan (Lanark-Renfrew):** This statement is for the Minister of Natural Resources. It is from today's editorial by Derek Walter of the *Arnprior Chronicle-Guide* about the damage his ministry has done to the Braeside mill:

"As the story unfolds regarding the sale of the former Gillies mill to Canadian Wood Products Inc, we never cease to be amazed by the role Ministry of Natural Resources staff are playing," while the minister remains silent.

"Some recent incidents initiated by them are inexcusable. The timing of a letter sent to every major private wood supplier in the area regarding the use of crown logs was poorly handled. It so confused the private loggers that they withheld any offer of logs to CWP because they feared repercussions from the MNR on future licensing. The MNR later claimed they had no legal right to stop private sources from selling logs to CWP. If such be true, why the threatening letter?" Why does the minister not retract that irresponsible message?

"If the MNR wanted to stop the sale in the first place, they should have made it very clear...that no support was forthcoming. The whole exercise hints of

hidden agendas, particularly in the light of native claims to large tracts of land within the Algonquin Park area. Why don't politicians and the ministry bureaucrats come clean on this subject and clarify their real thoughts" on the future of Algonquin Park? Will it continue to be a public park?

##### MARKETING COOPERATIVES

**Mrs Ellen MacKinnon (Lambton):** In recognition of Co-op Week, I'd like to highlight a new initiative recently announced by the Ministry of Agriculture and Food.

The ministry's marketing cooperatives advisory service will help farmers and food processors who want to establish or improve marketing cooperatives. Staff at the service will provide a resource base for information on the establishment, structure, operation and development of co-ops. They will help link co-ops with other services and programs in the government and private sector, as well as offer advice on developing business plans.

Cooperatives are an excellent vehicle for pooling the resources and energy of local groups so they can help bolster both their own and their community's economic future. The cooperative model is not a new idea, but it's one whose time has come again, especially given the economic challenges brought on by the recession and intensifying global competition.

I know the Minister of Agriculture and Food is highly supportive of grass-roots-based efforts that encourage cooperatives and innovation in the agrifood industry.

The new service will provide a good opportunity for co-op members, both producers and processors, to work together to improve market access, while adding value to their products. Locally based, locally owned cooperatives will provide both jobs for the community and the kind of pride that comes from owning and operating your own business.

This initiative is a fine example of how this government is encouraging self-reliance and economic development in our rural communities.

##### TOURISM ONTARIO

**Mr Hugh O'Neil (Quinte):** It is with great regret that I convey to the members of this House today that Tourism Ontario, which is a private, non-profit federation of lodging, recreation, transportation and travel associations whose more than 7,000 businesses accounted for a sizeable portion of the estimated \$16.9 billion in direct expenditures in 1991, is closing its doors at the end of this month.

The lingering recession and inequitable provincial fiscal and regulatory environment have resulted in indefinite layoffs for more than 62,000 employees in the

tourism industry overall. Bankruptcies in the accommodation and food and beverage service sectors have escalated by 21% over the same time a year ago. Bankruptcies in Ontario's tourism and hospitality industry have increased by 39%. As a result, the industry has been unable to sustain itself and therefore its membership in Tourism Ontario.

We are told that the Minister of Culture, Tourism and Recreation and the government knew of this serious development over a month ago and did nothing to reverse it. In fact we are told they never even called to offer assistance. Although you will tell us that there is a tourism sectoral strategy under way, the people involved in tourism across this province are very concerned with the lack of interest shown in their industry by your government and are very fearful that the strategy is destined for failure.

Minister, how do you explain this very unfortunate situation? What do you propose to do to fill the void left by the closure of Tourism Ontario? When will the Rae government give tourism the attention it deserves?

1340

#### EDUCATION

**Mrs Dianne Cunningham (London North):** My statement is directed to the Minister of Education and Training. On September 7 you announced the establishment of the Ontario Parent Council. This group of 18 members is expected to represent the views of parents throughout Ontario and to advise you on upcoming policy.

We strongly agree that parents play a very important and necessary role in the education of children; however, we have a number of concerns with the announcement.

There will now be 44 councils in the Education and Training ministry alone. The Ontario Parent Council will cost the Ontario taxpayers \$600,000. What role will home and school associations and parent-teacher associations play at the provincial level?

In May you appointed the Royal Commission on Learning to "reach out and listen to everyone committed to quality education," including parents. This commission, which is currently travelling the province, is costing the taxpayers \$3 million.

Which of the 44 councils are you listening to? What is the relationship between the parent council and the royal commission? Aren't they both listening to parents? Is this going to be yet another level of bureaucracy?

You state that your government's goal is to have ordinary parents from all over the province participate in this parent council. Yet you will be appointing the majority of the 18 members. In other words, only a minority of the council may end up being ordinary citizens with new ideas.

As parents and taxpayers, we know that we can make

a significant difference in the education of our children. We also know that we don't need more levels of costly bureaucracy to do this.

#### EVENTS IN COCHRANE NORTH

**Mr Len Wood (Cochrane North):** On Thursday of last week I attended the 35th anniversary of TransCanada PipeLines. The event marked the result of the final weld which took place near Kapuskasing in 1958, when gas began to flow through TransCanada's system to markets in Canada's heartland. By transporting gas from the west to meet the energy demands of millions of Canadians in the east, the pipeline has put 1,800 people to work in five provinces.

The company generates close to \$55 million per year in municipal taxes and about half a billion dollars in provincial taxes. They also made a significant contribution to the Sensenbrenner Hospital in Kapuskasing to build a doctors clinic. We can see the enormous contribution this company has made to our economy at every level, and I would again like to congratulate the achievements of TransCanada PipeLines.

Another important achievement that I would like to mention today will be celebrated at the official inauguration of the thermomechanical pulp facility at Spruce Falls Inc. The event will take place this Friday at the mill in Kapuskasing.

I am extremely pleased that the Premier will be able to join me, and it seems most fitting as he worked very hard to make the employee buyout at Spruce Falls a successful reality. Eight hundred people are still employed because of this, and the company with its new TMP facility is now in a position to compete in a technologically advanced marketplace. I am proud of the progress Spruce Falls Inc has made over the past two years.

Our government's Jobs Ontario programs have also played a significant role in preserving and creating jobs. At the same time we have kept our community infrastructures upgraded to meet today's market demands. Several Jobs Ontario initiatives have already begun and more announcements for Cochrane North will be made by the end of this week.

#### LEADER OF THE THIRD PARTY

**Mrs Elinor Caplan (Oriole):** Next Monday, October 25, is federal election day. Canadians are concerned about the future of our country. Canada is experiencing problems, including high unemployment and high debt. Canadians are deciding how to vote. They're asking the federal parties how they plan to solve the problems our federal government faces.

Voting is a personal act that requires significant thought and deliberation. I know from his past statements that Mike Harris is having a lot of trouble deciding how he will vote on October 25. Will he cast his vote in favour of Kim Campbell, his federal leader, or has he decided, like many others, that the federal



Tories don't have what it takes to lead the country?

I know that he won't be voting for Lucien Bouchard. Will Mike Harris be casting his vote for the Reform Party and Preston Manning? That would not come as a surprise to me, as Mr Harris's and Mr Manning's platforms are very, very similar. They both say that we should bring in user fees for health care. Mike and Preston are singing out of the same hymn book.

Mike, I stand in my place today urging you not to vote for Preston Manning. Join me, join the Liberal caucus and thousands, millions of Ontarians and Canadians, mark your ballot for the Liberals and help make Jean Chrétien the next Prime Minister of Canada.

Reconsider, Mike; there's still time. Vote your vote with us.

CAROL CULLAIN

**Mr Cameron Jackson (Burlington South):** The people of Sudbury recently experienced the shock and sadness of the tragic death of Constable Joseph MacDonald, killed in the line of duty two weeks ago.

Today Sudbury and Burlington share a mutual grief in the passing of a Sudbury native, Constable Carol Cullain, who made her home in Burlington as a member of the Halton Regional Police and who at the age of 31 has tragically died of cancer.

Hired just last November 12, Constable Cullain described herself as being on cloud nine after her swearing-in ceremony. She said, and I quote: "It's the proudest day of my life because I have been accepted in what I feel is one of the most important careers this country has to offer. I wouldn't dream of being anything else."

Her fiancé, Blake Freure, a Peel Regional Police officer, was present and the two were planning to marry next May. They met at an explosion site in Mississauga in 1991 when Constable Cullain was an ambulance officer.

Constable Cullain's funeral was held at Christ the King Roman Catholic Church in Sudbury yesterday together with a full police honour guard. On behalf of all members of this House and all police service personnel, I extend my sincere sympathy and condolences to the bereaved family of Constable Cullain. An achievement award has been set up at Humber College in Etobicoke in her memory.

Constable Carol Cullain of Burlington was a person who dedicated her life to the service of others and to the community she served with such high distinction, if even for so brief a time.

Today both she and Constable MacDonald are heir to the promise echoed in chapter 15 of the gospel of St John: "Greater love has no one than this, that one lay down his life for his friends. And if you keep my commandments, you will abide in my love."

#### SUDBURY ROTARY CLUB

**Ms Sharon Murdock (Sudbury):** As everyone in the House knows, Rotary clubs around the world are dedicated to the betterment of persons, particularly through education, and the Sudbury Rotary Club in my riding is no different.

Last Saturday evening, despite a Blue Jays game that was on, we had a Trivial Pursuit tournament put on by the Sudbury Rotary Club and organized by a young woman by the name of Monique Vincent, who did a phenomenal job.

There were eight teams sponsored by different businesses and corporations and associations throughout the city. We played from about 7 o'clock till about 10 o'clock. I'm proud to say that my team did make it to the consolation round. However, we lost on a tie to the Sudbury Regional Police Association.

It was a fun evening. It was good for everyone, but it was particularly good for the cause of literacy, and the Sudbury Rotary Club is to be commended for doing this work. I want to congratulate them for continuing that practice. Last Saturday was the second annual Trivial Pursuit tournament. I'm challenging everyone in Sudbury to put out more teams for next year.

I want to thank everyone who sponsored me, and my team, and I would also just finish off with a statement that was made by another Sudburian whom we see every night on television, Alex Trebek, who came and kicked off Literacy Week in Sudbury by saying that the pursuit of literacy is not trivial.

**The Speaker (Hon David Warner):** It is now time for oral questions. Is there a member of the opposition who wishes to ask a question?

#### ORAL QUESTIONS

##### CANCER TREATMENT

**Mrs Barbara Sullivan (Halton Centre):** I was to direct my question to the Minister of Health, but in her absence I'll present it to the Premier.

In 1992 there were 44,800 estimated new cases of cancer in Ontario. In 1992 there were an estimated 21,600 cancer deaths. In 1985 a report commissioned by the Ontario Cancer Treatment and Research Foundation and the Ontario Cancer Institute reported on the funding and delivery deficiencies in Ontario for cancer treatment and the dramatic incidence of cancer.

The Liberal government recognized the urgency that was pointed out in that report, both in the short term and in the long term, added \$200 million for cancer treatment facility improvement, increased operating budgets for specialty care, introduced a cancer care coordinator to the MOH and, in January 1990, an additional \$300 million was budgeted for facilities to provide care and treatment for cancer patients.

For the last government, Mr Premier, cancer care was a clear government-wide priority. We would like to

know from you today where cancer care fits in your priorities.

1350

**Hon Bob Rae (Premier):** It's my understanding that the minister is literally just arriving and will be present shortly in order to answer the question.

**Mrs Elinor Caplan (Oriole):** The question is, is it a priority for your government?

**Mrs Sullivan:** Is this an appropriate way to conduct the question period meeting?

**Hon David S. Cooke (Minister of Education and Training):** You said you wanted to ask the Minister of Health.

**The Speaker (Hon David Warner):** Order. Question period is obviously an important element of the sitting. It's important to both sides of the House. Indeed, I know the honourable member would not want the minister to be at a disadvantage and not hear the question. In fairness, what I would ask is—it was a serious question posed by the member for Halton Centre—that we would restart the clock and the member would pose her question over again. The minister is here to hear the question and we can begin afresh.

**Mrs Sullivan:** I will now, given that the Minister of Health has joined us in the assembly, repeat the question to her.

In 1992, Minister, you will know that there were an estimated 44,000 new cases of cancer in Ontario. In 1992 there were an estimated 21,600 cancer deaths. In 1985, you will recall, a report commissioned by the Ontario Cancer Treatment and Research Foundation and the Ontario Cancer Institute reported on the funding and delivery deficiencies for cancer treatment in Ontario and also reported on the dramatic increases in the incidence of cancer.

The Liberal government recognized the urgency—as I believe any government would have done at the time—both in the short term and in the long term. They added \$200 million for cancer treatment facility improvement, increased operating budgets for specialty care, introduced a cancer care coordinator to the MOH and, in January 1990, added an additional \$300 million to provide for facilities to provide care and treatment for cancer patients.

For the last government, Madam Minister, cancer care was a clear government-wide priority. Where does cancer care fit in your priorities?

**Hon Ruth Grier (Minister of Health):** Without hesitation I can say that the same priority has been accorded to care of cancer by this government as by the previous one.

As I acknowledged in response to questions on this subject earlier this week, the report that was received by the previous government in 1985 and indicated the increasing number of cancers that were anticipated has

been the basis for planning—planning that has continued.

In addition, in our discussions and round tables with all of the stakeholders from survivors to volunteers to the treatment centres, we have been looking at how we can expand the range of services, whether it be support services in the community for cancer patients after they have received treatment, moving to what we can do to try to prevent this shocking increase in a disease that in some cases is preventable by things like an anti-tobacco strategy, for example, or dealing with toxins in the workplace or in the environment.

So there is a spectrum with respect to making cancer a priority. Treatment is very much an important part of that, and the work to expand the treatment facilities is a priority and is continuing.

**Mrs Sullivan:** The minister speaks of planning, which she tells us has continued in the steps of the positions that were put in place from the last government. But my concern is that the implementation plans have not been put into place and the urgency has not been recognized.

I will give you an example of that. In October 1989, the Liberal government approved \$18 million for construction and radiotherapy facilities at the Ottawa Regional Cancer Centre. Your government stopped that project with your halt to hospital capital construction plans. Today, those facilities are not yet built.

My colleagues in the House from the Liberal caucus have been urging on many occasions that action be taken. In the summer of 1992 there were 350 patients on the waiting list for treatment in Ottawa with an 8-to-10-week wait for that treatment. That crisis situation could, I'm sure you will recognize, easily occur again.

The Ottawa treatment centre handles more than 155,000 visits for treatment and consultation each year, and each year more than 3,000 new cancer patients require treatment at that centre.

Minister, I am asking: When will you provide the funding to the Ottawa cancer treatment centre to ensure that new facilities and new equipment are put in place so that people who've been diagnosed with cancer can be assured that they will get the treatment they need, when they need it?

**Hon Mrs Grier:** I've already indicated to the House, and am glad to repeat, that in fact construction of the expansions in Ottawa is under way and of course, when completed, will be funded. I should also say to the member, though, this is not a desired way of dealing with what is an acknowledged problem. Two new machines in the cancer centre in Hull are also under construction and that could in the short term, when they are effective, expand the capacity in that particular area.

I'm happy to tell her with respect to the overall expansion of the system, to which I have spoken this



week, that I have been informed, and I would like to give this additional information to the House, that the construction schedule of the Toronto-Bayview Regional Cancer Centre, which started just this summer and which was scheduled to be completed in two and a half years, has been accelerated. In fact, I'm delighted to inform the House that that centre is going to be completed in one and a half years rather than the two and a half years that was originally anticipated.

**Mrs Sullivan:** The government clearly does not have a plan for the short term and across Ontario we see waiting lists that are expanding with no alternative planning and implementation programs being put into place to meet that requirement for today.

The Canadian Association of Radiation Oncologists had set a standard of four weeks from the time of diagnosis to the time of treatment. Many people have to travel significant distances at a very stressful time in their lives to obtain that treatment in a timely way and to be absent from their close family, their children and their friends, by whom support would be provided.

The referral centre at the Princess Margaret Hospital works with cancer patients to ensure that they will receive timely treatment in another centre if it's not available at the local regional centre, and the cancer society has been generous with its volunteer time to assist, whenever possible, to ensure that the patient receives comfort.

We hear from patients that there are other stresses, though. The cost of travel and other expenses must be borne by the patient, along with many other costs associated with receiving treatment in a community other than their own. That travel, I remind you, Minister, is medically necessary. Will you agree to cover the costs of travel and the associated costs when a patient is referred to another regional centre or where the distance and cost is such that a patient is denied access to cancer treatment on the basis of ability to pay?

**Hon Mrs Grier:** Let me say to the member that the stresses she identifies I think we are all aware of and are all attempting to prevent from having to occur. The expansion that has occurred in our cancer treatment centres since 1985 is really quite phenomenal when you look at other sections of treatment and other provinces and is in response to the need and following a plan.

Our attempt has been to cut down on the number of re-referrals and the amount of planning, and I'm happy to tell the member that in the first five months of this year there were in fact no re-referrals. That happens on occasion, and when it happens and when it is excessive, there have been times when the ministry has looked at it and, yes, acknowledged that there ought to be some compensation for travel time. But our ultimate objective is to make sure that people do not have to travel out of their own area and that there is not a need for re-referral, and that is the entire objective of our plan.

1400

## SOCIAL ASSISTANCE

**Mr Murray J. Elston (Bruce):** We were told that the Minister of Community and Social Services would be here 15 minutes ago; he is not. In his absence, I would go to the Premier of the province.

There is a report in the Vancouver Sun, also copied in the Ottawa Citizen, that has indicated that welfare fraud is widespread; in fact, a connection has been made in this story between welfare fraud in the Somali community and the funding of the activities of warlords in Somalia. There is a conviction of one Somali man last year on the basis of \$6,500-per-month fraud in Ottawa. I want the Premier of this province to tell me what action his ministry and his government have taken to ensure that this type of fraud is not occurring and does not occur.

**Hon Bob Rae (Premier):** I can assure the honourable member that fraud against any public body with respect to receiving of grants, whether it's the welfare system, the tax system, unemployment insurance, whatever it may be—in the case which you've spoken of in terms of welfare fraud, any facts which are brought forward are to be thoroughly investigated by the authorities in question. They have that clear, legal responsibility. If the honourable member is privy to any particular information as a result of the extensive research he has done in reading the Vancouver Sun or the Ottawa Citizen, then I'm glad to receive it and I'm sure it will be thoroughly investigated by the people who are responsible.

If there are any instances of people who are either individually or systematically abusing the welfare system or engaged in a fraud of the welfare system, those instances and those individuals should be investigated. If there is information which would lead to a prosecution, they should be charged. That's the law of the province. The law of the province and the law of Canada should be and must be upheld and maintained, and that's the way it should be.

**Mr Elston:** This story in the Ottawa Citizen indicates quite clearly that the welfare fraud is widespread across the country and isolates an incident in Ottawa where a person has been convicted of welfare fraud. My question to you was, what has your government done to prevent it?

Last week when we asked the question, the honourable member for Oriole got this answer: "If you tell us the facts, we'll pass them on and we'll take whatever action is necessary to stop it." If the Vancouver Sun and the Ottawa Citizen know about the conviction of one Somali who was convicted of defrauding the system of up to \$6,500 per month—and the suspicion is that the fraud was actually over \$12,000 per month—can you tell me what action was taken by your ministry, by your government, to stop the fraudulent applications for

welfare in this province by people like this? I want this prime minister to tell us, what are you doing to stop the flow of welfare fraud currency out of this country and into Somalia?

**Hon Mr Rae:** I never cease to be amazed at the waves of synthetic indignation which carry off the honourable member for Bruce. I would say to him very directly that I haven't seen the newspaper article to which he's referring, but even in the face of the rage he was expressing he admitted that in fact there had been a prosecution and indeed, from what I can gather from his question, there had also been a conviction.

When he asks what the provincial government is doing, my response would be that the provincial government has an obligation to monitor, to investigate instances of fraud, to charge those who are responsible for fraud and to deal with it on that basis. That is the responsibility we have, that is the responsibility the federal authorities have, and that is the responsibility his government had when it was in office.

I would say one other thing: It will be a sad day when we start charging, trying and convicting people on the floor of the Legislature on the basis of newspaper articles, which seems to be the direction in which the honourable member is headed. It must be dealt with by the proper authorities.

**Mr Elston:** To that honourable member: I want to bring his attention to the fact that the allegation is that millions of dollars are going into the hands of people to buy arms to be used in the warfare that is going on in Somalia, which includes the use of those weapons against peacekeepers who are there on missions of mercy and peace.

There is also a project reported in this particular article—Also Known As is its code name—which is supposedly being undertaken by the federal authorities.

I want to understand when the government of Ontario was made aware of these types of fraud, what it has done to cooperate with the federal authorities and what sort of steps it has taken to assure us that the fraud, which was raised a week ago, as an example, by the member for Oriole and which the Minister of Community and Social Services seemed to know nothing about—what steps you have taken as a government to ensure that these types of fraudulent applications are not still going on, and what have you done to prevent the flow of money that is used to buy arms which are being trained on the peacekeepers in Somalia?

**Hon Mr Rae:** I would say to the honourable member, and I say to him in as calm and civil a way as I possibly can, that the way to deal with this issue is to deal with the information that's there, to deal with any information on a systematic basis and to deal with it in a way that respects the civil liberties of all Canadians, regardless of where they come from, and to respect the civil liberties of all applicants regardless of race, colour,

creed or any other aspect of their lives. We have an obligation as a civilized people and as a civilized government to do that.

We also have an obligation to prosecute those people where there's found to be reasonable evidence of fraud. Where we have those instances—

**Mr Elston:** What about the audit? You have taken insufficient steps to do anything about the welfare fraud.

**The Speaker (Hon David Warner):** Order.

**Hon Mr Rae:** This is an issue that's costing us, and we intend to deal with it. But I must say I've learned a great deal about the honourable member this afternoon.

**The Speaker:** New question, the leader of the third party.

**Mr Michael D. Harris (Nipissing):** I guess the OPP is too busy investigating all the leaks on the NDP scams.

#### CANCER TREATMENT

**Mr Michael D. Harris (Nipissing):** My question is to the Minister of Health. Minister, it's increasingly clear that we have a crisis in cancer treatment in Ontario. We have growing waiting lists for radiation treatment for a disease with which time is of the utmost importance. As Minister of Health, you should be doing everything possible to ensure that Ontarians are treated as soon as possible.

That is why I want to ask you if you can assure every single Ontarian, every single taxpayer of this province, every single person who is on a waiting list for radiation in Ontario, that no one from outside the country would ever receive treatment ahead of them on the waiting list before they do. Can you assure us of that?

**Hon Ruth Grier (Minister of Health):** To give that kind of blanket assurance, much as I wish I could, without having all the information available to me—that I suspect the member has available to him for his second question—would not be something I would want to do. But let me say to him very sincerely that my objective and the objective of my ministry and of this government is to make sure that the people of Ontario get the treatment they need with as little waiting as possible, and that's what our plans and our efforts are directed to achieving.

**Mr Harris:** The information I have is available to you, because I have a copy of a letter that was sent to you by Judy Thompson of Kitchener. In February of this year, Ms Thompson was told she'd have to wait three months for radiation treatment for a recurrence of cancer. While Ms Thompson was in London for her treatment, she met an American woman who was being given the same treatment after waiting just over a week. How could this happen? How can it happen that Americans can jump the queue and get radiation treatment in Ontario while we have Ontarians sitting there waiting on the list?



1410

**Hon Ruth Grier:** I don't have an answer to that question. I hope the member will share with me the specifics of the case. I can assure him it is something I will take up with the London hospital and ask for the information he is requesting.

**Mr Harris:** The information is available to you. The letter was sent to you and copied to me. To date, apparently only my office has had the time to call and find out what happened. We spoke as well with the American patient this morning. She confirmed the details of Judy Thompson's letter. She confirmed that she does not have an Ontario health card. She has a private plan.

That even one American—and if there's one, we must assume there are others—has taken the place of an Ontario cancer patient is unacceptable. Will you immediately investigate how this happened to ensure that not one single Ontario taxpayer, Ontario cancer treatment patient, is kept on waiting lists because someone outside the country is coming in paying his or her own way?

**Hon Mrs Grier:** Shortly after I became the minister I became aware of the fact that a number of our institutions were planning to market their services to fee-paying patients from south of the border. I made it very clear to them, and I have no hesitation in repeating today to the member and to the House, that as far as this government is concerned, Ontario's health care system is for the people of Ontario and is not for sale. I share his concern about this particular case, and as far as we are concerned, that is not what ought to happen.

**Mr Harris:** But it's happening and it's happening every day.

My second question is also to the Minister of Health. Can you tell me, Minister, whether you and your government think a person who is 64 years of age and is suffering from cancer is not worth treating?

**Hon Mrs Grier:** I know the member is raising a question with respect to a specific individual who has written to my ministry. I'm not in a position, nor ought I, to comment on that particular case, and I'm afraid I can't do it in the Legislature.

**Mr Harris:** Mr Donald Porter of Orangeville is in Orangeville today watching as I speak and as you speak. He believes that OHIP told him he was too old to treat. After he was diagnosed with non-Hodgkin's lymphoma, his oncologist, Dr Steven Reingold, recommended that he should get a bone marrow transplant. OHIP refused to pay even though he was given only three to nine months to live. Mr Porter claims he was denied coverage because of his age and because there was an "element of risk." After years of working, after years of paying into our health care system, he was told that when he needed it the health care system wouldn't be there for him. Minister, Mr Porter wants to know why. Can you explain that to him?

**Hon Mrs Grier:** As the member well knows, it is not appropriate nor is it proper for me to comment in public on an individual case. Let me assure him and anybody who's watching that cases of this nature that come to my attention are investigated and that the questions are asked by me of OHIP. That will certainly happen in this particular case.

**Mr Harris:** Donald Porter couldn't wait for you and your government. Donald Porter couldn't wait for the system. Donald Porter is alive today and watching because he sold his business and he sold his home and he spent his retirement money to pay \$150,000 for bone marrow surgery in New York. He is healthy today.

Minister, you and your government have mismanaged our system to the point where people are forced to give up their life savings to stay alive. This is Ontario. This isn't what universal health care was supposed to be. This isn't the OHIP system that was conceived of and dreamed of in this country and in this province and built up over all these years. In a province envied for its health care system, this shouldn't be happening. The bottom line is that if Mr Porter were poor, if he couldn't have sold his house, if he didn't have life savings, he would not be alive today.

What advice do you have for other seniors who are being told the same thing and who don't have the money to go elsewhere and get the treatment?

**Hon Mrs Grier:** The judgements and the decisions made by OHIP have been made since the beginning of the system. I don't justify this particular one. I don't know the details. I have undertaken to investigate it. But I don't want anybody in this House, or the member, to infer that there is any lack of commitment by this government to the medicare system, to the protection of universality and accessibility.

I want to say to the members opposite that in the face of constraints and cutbacks—

**The Speaker (Hon David Warner):** Minister, conclude your response.

**Hon Mrs Grier:** I want to conclude by pointing out to the leader of the third party that the medicare system of this country, which the members on this side of the House fought for, created and have protected all these years, began as a shared—

*Interjections.*

**The Speaker:** Order.

**Mr Ernie L. Eves (Parry Sound):** On a point of order, Mr Speaker: To correct the record, I'm sure the record will show that the NDP created nothing and weren't in government when this system was created.

**The Speaker:** That's not a point of order.

MENINGITIS

**Mr Steven Offer (Mississauga North):** I have a question also of the Minister of Health. Madam Minister, you will be aware of the continuing concern, if not

panic, throughout the region of Peel over the incidence of cases of meningitis. Today more school kids and their parents are pleading for an inoculation, but the vaccine is not available.

You will remember that in the Ottawa-Carleton area, where there was a similar outbreak, massive inoculation was ordered. However, you must also be aware that for a significant period of time there wasn't sufficient serum to meet the needs. Special efforts were needed by the Ministry of Health in that case.

Keeping in mind the lesson from Ottawa-Carleton and the reality of the region of Peel, will you assure this Legislature today that efforts are being undertaken by your ministry to ensure (1) that there is sufficient serum available on an as-required basis, and (2) that there is a proper plan in order whereby that serum can be distributed?

**Hon Ruth Grier (Minister of Health):** I have certainly asked that question of the chief medical officer of health of the province, because it was one of my first concerns when I heard about these incidents of meningococcal disease: Was there sufficient serum? My information was that indeed there was and that Connaught Laboratories could provide that which was required. In the Ottawa case, I understand that serum had to be found from another country, but the serum was found. I have no information that leads me to suspect there is a shortage here. If the member has been told something different, I will certainly want to follow up on that.

**Mr Offer:** The parents of the children in the region of Peel would take strong issue with you with respect to that particular answer, because in fact there is not sufficient vaccine serum available for them today. The question to you again is: What efforts are you taking to make certain that serum in sufficient quantities will be available for the people, the children, in the region of Peel? We want to know what actions you are taking to make certain that is available.

**Hon Mrs Grier:** I can merely repeat in response what I said in my first answer. My information is that there is a certain amount of serum that the ministry keeps and that Connaught Laboratories has an additional supply, and that if serum is needed, it is available and will be found. I have not, as recently as my briefing at 1 o'clock, been made aware of a shortage or of any physician seeking serum who was unable to find it.

1420

#### BIRTH CERTIFICATES

**Mr Michael D. Harris (Nipissing):** My question is to the Premier. The Toronto Sun reported today that an illegal ring has been caught selling Ontario birth certificates. In response, the deputy registrar of Ontario said, "There's no practical way to prevent this type of abuse." Premier, once a person illegally obtains an Ontario birth certificate, it's a licence to spend the

taxpayer's money. It's an open invitation to our welfare system. It gives you gold card access to our health care. Premier, do you believe the deputy registrar is right? Do you believe there is no way to stop this?

**Hon Bob Rae (Premier):** I'll refer this to the Minister of Consumer and Commercial Relations.

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** The police haven't directly contacted the office of the registrar general to date and the ORG will be contacting the police to offer full cooperation. I can tell the leader of the third party that there are approximately 360,000 birth certificates issued each year and 90% of those are issued through the mail. The eligibility criteria are the same as, restricted, and consistent with other Canadian jurisdictions. But what I would like to say is that since the relocation of the ORG from Toronto to Thunder Bay, which everybody here is aware of, there has been extremely tight security around—

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Hon Ms Churley:** There has been extremely tight security around the birth certificates. To date, we don't know whether those birth certificates were stolen or are counterfeit and that's something the police will now start investigating.

**Mr Harris:** Minister, we're losing millions in fraudulent health care claims. You've heard that every day. We're losing millions in welfare fraud. You hear that every day. Now we find out anyone can pick up an Ontario birth certificate on the street for a few hundred bucks.

This is the card, this is the gold card, this is the one that accesses all the manna, all the free government money. Do you think it's acceptable that your deputy registrar says there's no way to stop it? Do you accept that as a cabinet minister? That's the question I ask you and now, by way of supplementary, I ask you this: If you believe that, if you accept that, isn't it time you moved aside and got somebody in who can manage these systems? Because it's not acceptable to me that there's no way to stop this fraud.

**Hon Ms Churley:** As I said, the police have not determined at this point whether these certificates are forged documents or stolen property. Of course, I don't accept the statement. Of course, it isn't acceptable. I believe what Mr Kelly is getting at is that out of the 360,000 birth certificates that are issued each year, 90% of them are through the mail.

**Mr Harris:** Everything you touch is falling apart, all the sacred social programs, the health care system; it's all falling apart.

**The Speaker:** Leader of the third party, come to order.

Has the minister concluded her response?



**Hon Ms Churley:** I'd be interested to see the context of the statement alleged by Mr Kelly, because I believe what he may have been getting at is that with that number of birth certificates going out every year—and people can apply through the mail—in certain instances, if people get the right information, even with the tight security it can happen sometimes.

But let me say again that I take it very seriously. We don't know yet whether these documents were stolen or received in that way or whether these are counterfeit. The police will be investigating and I will have more information for you when they reach conclusions at the end of their investigation.

#### HEALTH CARE

**Mr Randy R. Hope (Chatham-Kent):** My question is for the Minister of Health. The Ministry of Health has undertaken to provide quality health care to Ontario residents who have suffered brain injury. Current efforts are under way to develop a pool of expertise in several Ontario centres so that we can treat Ontario residents here instead of in the United States. This will provide us with more affordable health care that is close by.

While we develop this program, American-owned, for-profit centres are being slated for southwestern Ontario to meet the demands of Ontarians with private health insurance. Those Ontarians who have only OHIP coverage are forced to get their treatment south of the border.

What are you doing to speed up the provision of treatment for people with brain injury in the province of Ontario?

**Hon Ruth Grier (Minister of Health):** I share the member's concern about this particular issue and I'm happy to tell him that our response to the situation has been a \$9.5-million allocation for a combination of institutional and community initiatives to repatriate Canadians, Ontarians, who have had to receive treatment south of the border.

Of the approximately 12,000 traumatic head injuries sustained each year in Ontario, only about 100 are treated in American facilities. The majority of the cases receive their treatment here in Ontario. Those that are typically going to the United States are people who are slow to recover from brain injury or who demonstrate particularly aggressive behaviour that we don't have the facilities here to deal with. But it is a real concern, and I hope in the very near future to be able to have some information about a further expansion of our treatment facilities here in Ontario.

**Mr Hope:** Especially in southwestern Ontario, there are a number of residents or family members who would like their families closer, to participate in the recovery aspect. I must ask the minister: If we're not able to provide non-profit facilities faster, will it be possible for Ontario residents with brain injury who do not have private health insurance to access the Ameri-

can-owned clinics in Ontario until the system is fully in effect? I guess my question would be, can they use the American system while we wait for non-profit?

**Hon Mrs Grier:** Yes, access to US services continues to be approved by the ministry until we have adequate facilities developed in Ontario. As I indicated, we acknowledge that there are some areas where we still do not provide the service. We understand the concern people have with the slow rate of development of our facilities here in Ontario, and it is a priority of a gap that we're attempting to close.

#### SOCIAL ASSISTANCE

**Mr Murray J. Elston (Bruce):** My question is to the member for Dovercourt, the Minister of Community and Social Services. There has been for some months now an investigation by the federal authorities into welfare fraud surrounding the issue of Somalis who are reportedly using money from welfare claims here in Ontario and in other parts of Canada to fund the purchase of arms for Somali warlords in their home country.

Immigration department spokesman Milt Best in Toronto has indicated that there is a program called Also Known As that has been ongoing for some months in relation to this. Will the Minister of Community and Social Services tell us what cooperation he has provided that project and how long he has known about the investigation into this welfare fraud, and can he tell us, further, how this particular project dovetails into the projects that he has under way on his own in relation to welfare fraud?

1430

**Hon Tony Silipo (Minister of Community and Social Services):** I will say very straightforwardly to the member, I don't have the details of this particular investigation, but as he has raised them here with me, I will ensure that we look into those and be able to respond in more detail to the member at a later point.

**Mr Elston:** I am absolutely astonished by that particular response. The auditor had indicated in his report that the ministry's efforts to prevent and detect fraud were insufficient; he didn't say they were non-existent. I want the Minister of Community and Social Services to tell me today exactly what his department is doing to detect welfare fraud, the same type of fraud that is allowing certain individuals to get multiple applications approved for welfare, certain individuals, it is now alleged, who are sending that money out of the country to fund the purchase of arms to be used against our peacekeepers in other countries.

I want this minister to tell us what steps he has taken in his ministry to prevent welfare fraud and how they are going to get to the bottom of the problem that is reported today in the Ottawa Citizen, about which I spoke to the Premier earlier.

**Hon Mr Silipo:** I think it's important that we not

make policy on the basis of news reports. I want to say to the member that we take the issue—

**Mr Elston:** You don't have a policy to investigate fraud?

**Hon Mr Silipo:** If he'll let me finish the answer, we take the issue of welfare fraud very seriously. In fact I can tell the member that in the process we're going through now we've identified and we're putting in place, together with the municipalities, a process we believe will identify a fair amount of the fraud that exists in the system. Even if we believe that it's a relatively small amount, it's important that we get to the nub of that.

On the issues that he has raised, dealing with a specific part of that, I wanted to be very direct with him in saying to him that I don't have the details at my disposal and, rather than trying to invent them on my feet, what I will do is get the information and be prepared to come back to the House and deal with that issue very directly.

#### TEACHERS' DISPUTE

**Mrs Dianne Cunningham (London North):** I have a question for the Minister of Education and Training. Today is day 27 of the strike in Lambton county. The students have been out of the classroom for six weeks. If the students and the parents affected were asked whether their education is in jeopardy, Mr Minister, they would say yes.

Despite this, the Education Relations Commission will hold a public meeting on Thursday night at the Canterbury Inn to discuss the impact of the strike on the students. No other outstanding issue will be discussed. Five ERC bureaucrats will come down from Toronto and rent hotel space to discuss an issue that is blatantly obvious to everyone but the minister and maybe the ERC; we don't know that. Could you tell me the exact cost, including salary, transportation and hotel expenditures, for this grandstanding exercise?

**Hon David S. Cooke (Minister of Education and Training):** The Education Relations Commission announced last Friday that it was going to proceed with a public meeting to deal with this issue, a process that the ERC used to use quite often in disputes like this. As the member will know, some very serious negotiations have occurred in the last 24 hours. In fact it's my understanding that all of the issues at the bargaining table with the exception of one have been dealt with.

Now, the first time that she asked the question a few weeks ago, the member advocated legislation and claimed jeopardy. That's the politically popular thing to do; that's not the responsible thing to do. When you've given people the right to strike, then government should not be moving in unilaterally just at the whims of questions from critics from the opposition parties to bring in back-to-work legislation.

We take this seriously. We understand the implication for any other further negotiations in other jurisdictions across this province, and I will not act until I've received a recommendation from the ERC and the law of this province has been followed.

**Mrs Cunningham:** I don't think that "political whims," as expressed today, is an appropriate term for the minister to be using. We're representing parents and students here today in asking these questions in the House, not political whims.

Minister, the ERC will not report on the result of the meeting until Friday; hence, you have condemned the students to being out of the classroom for yet another week. You've been pushing voluntary arbitration as a solution to this impasse, yet Bill 48, the Social Contract Act, does not allow arbitration.

Subsection 40(1) reads: "No increase in compensation shall be given as a result of any arbitration award or decision made on or after June 14, 1993." Interesting.

The education subsectoral framework agreement, under 7.3, states—Mr Speaker, it's technical; you'll have to bear with me:

"The actual number of FTE, full-time equivalent, day-school teachers in place on September 30, 1993, or contractual PTR staffing provisions, whichever is greater, will be the base against which modifications will be made."

**The Speaker (Hon David Warner):** Could the member place a question, please.

**Mrs Cunningham:** "The modification will result in a 4.75% reduction in staff or its PTR equivalent no later than September 1, 1996."

Forgive me, Mr Speaker, I will ask the question now. Since the two contentious issues of the strike, compensation and PTR, cannot be determined by arbitration under the terms of your social contract, when will you bring in legislation to get the students back into the classroom?

**Hon Mr Cooke:** I've indicated to the member before, and I understand the difficulty with this issue, but she has to understand, as all of us do, that when you move forward with legislation or whatever she is proposing, there are implications for negotiations in other boards across the province.

I don't want to do anything and this government doesn't want to do anything that encourages more disputes and sets up expectations that we're going to intervene when the proper place for these disputes to be settled is at the local bargaining table. What I will do is follow the same rules that all other ministers of education have followed, and that is follow Bill 100 and wait until the Education Relations Commission makes recommendations to me.

**Mrs Cunningham:** You don't even understand the question, David, do you?



**The Speaker:** Order. The member for London North, come to order.

**Hon Mr Cooke:** The member should understand that this is for a collective agreement that's previous to the social contract, and neither party is even stating that this is a social contract set of negotiations. They've said very clearly that it has nothing to do with the social contract.

#### LIBRARY GRANTS

**Mr Gary Wilson (Kingston and The Islands):** My question is for the Minister of Culture, Tourism and Recreation. I'm proud to be wearing the medallion—

**Mrs Dianne Cunningham (London North):** We are giving you all the answers in this House.

**The Speaker (Hon David Warner):** Order. The member for London North, please come to order.

**Mr Gary Wilson:** I'm glad the member is interested in what this medallion is. My question, again, is for the Minister of Culture, Tourism and Recreation, and it involves public library operating grants. As I said, I'm proud to be wearing the INFO medallion here. INFO stands for the information network for Ontario.

**Mr Michael D. Harris (Nipissing):** What a waste of money.

**Mr Gary Wilson:** Well, it's a waste for some people. Perhaps the leader of the third party would be wondering what its use is. But I invite all members to head down to the legislative library for a demonstration.

Anyway, I was pleased to be given this medallion by the chief librarian for the Frontenac county library system. She was extolling the virtues of the INFO system and was about to show it at a conference. But in conversation she mentioned that there is a concern about the public library operating grants for the forthcoming year. Of course, as you know, these grants represent 11% of the operating grants across the province on average.

1440

*Interjections.*

**The Speaker:** Order.

**Mrs Cunningham:** On a point of privilege, Mr Speaker: You cut me off from making a legitimate statement and this is a joke.

**The Speaker:** Would the member for Kingston and The Islands place his question.

**Mr Gary Wilson:** Thanks again, Mr Speaker. I'm afraid it suggests that information is lost on some members of the House, but I will continue because it is a very important question. Information and libraries are crucial to my riding.

**The Speaker:** Could you place the question.

**Mr Gary Wilson:** Certainly. The question is this: As you know, Madam Minister, public library operating grants amount to about 11% on average, but in rural

areas it's more like 24%, which is what it is in the rural areas of my riding.

**The Speaker:** Does the member have a question?

**Mr Gary Wilson:** I want to know what you're planning for the next operating year as far as the level of provincial library operating grants.

**Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation):** I think the member has actually asked an extremely important question. We're going into a time period now—

*Interjections.*

**The Speaker:** Order. Would the minister respond to the question.

**Hon Ms Swarbrick:** Friends of public libraries are understandably quite nervous in the fiscal time period that we're in, and I understand that as we're approaching the budget-making process everybody gets nervous about their operating dollars. I can't make any commitment, since we're just beginning that budget process, as to what the impact will be on libraries' operating funds.

I would like to say that I understand how rumours run rampant. I know last year I heard rumours we were going to close hundreds of libraries, which was of course never true.

**Mr Harris:** How much did the medals cost?

**The Speaker:** Order.

**Hon Ms Swarbrick:** Last year, in spite of the fiscal pressures on this government and the realities that we faced, because the NDP government caucus is tremendously committed to the value that libraries commit to literacy in this province as well as to the universal access to education and information, we were fully able to protect operating dollars to libraries and we hope—

**The Speaker:** Could the minister conclude her response, please.

**Hon Ms Swarbrick:** —that we'll be in a position to do that this year. But at this point of course I cannot make that commitment.

**Mr Gary Wilson:** I had some difficulty hearing that answer. I wasn't sure whether the minister touched on the capital expenditures in the library field.

*Interjections.*

**The Speaker:** Order. Would the member for York Mills please take his seat?

**Mr David Turnbull (York Mills):** I have asked for a point of order, Mr Speaker.

**The Speaker:** I cannot entertain a point of order until this House restores order to itself.

The member for York Mills has a point of order.

**Mr Turnbull:** Yes, Mr Speaker. In the supplementary I hope he's going to ask how much these medals are costing the taxpayers.

**The Speaker:** You do not have a point of order.

Could the member for Kingston and The Islands place his supplementary.

**Mr Gary Wilson:** I am really pleased to see all the interest in public libraries here. I do want to touch on the other issue. As I say, I wasn't quite sure I could hear whether the minister touched on the issue of capital expenditures in public libraries.

INFO of course is a very important development here, and I know the members are all very interested and will want to see the display in the legislative library, but I would like to know, Minister, whether the capital costs that are associated with libraries will stay at the same or an expanded level.

**Hon Ms Swarbrick:** Again, I think in spite of the difficult fiscal pressures that we face, because of the importance of public libraries I'm pleased to be able to answer the member's question.

We've been able to put over \$3 million of Jobs Ontario Community Action money into building and improving and repairing the infrastructure system of libraries in this province. We've also recently been able to put over \$1 million into developing the CD-ROM infrastructure system to help make sure that people throughout this province can go to any one of over 200 libraries and be able to access for the first time ever the information about all books that exist throughout the entire Ontario provincial library system.

#### VIOLENCE

**Ms Dianne Poole (Eglinton):** My question is to the Minister of Consumer and Commercial Relations. Lyn McLeod and I have repeatedly called on this minister to take action and restrict the sale of serial killer trading cards. These cards glorify violence and give our children a new set of heroes: violent criminals such as Karla Homolka and Paul Teale.

Three months ago I introduced a private member's bill to prohibit the sale of these violent crime trading cards to minors. The tools are there and yet you, Minister, have given all sorts of excuses for not taking action.

Last week you told reporters, "As Minister of Consumer and Commercial Relations, I do not have powers over retail sales." Minister, I am astonished that you, as Minister of Consumer and Commercial Relations, are not aware that you have power to regulate the retail sale of liquor. I'm also surprised you don't realize that you have power to regulate the retail sale of lottery tickets.

There is no earthly reason why you can't regulate the sale of violent crime cards. All you need is the political will to act. Why won't you take leadership and act to help stop the celebration of violence in our society?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** First of all, let me correct the member. I don't have jurisdiction to control the sale of lottery tickets. That's under the Ministry of Culture,

Tourism and Recreation.

I would like to say to the member, as I said to her leader last week, that this issue is one that I take very seriously, as this government takes very seriously. I think it is irresponsible for that party to continually stand on its feet and give false information about what this government can do about an issue as serious as this. I think it gives false expectations to the public out there who are concerned about that issue.

Having said that, it looks like that party—

*Interjection.*

**The Speaker (Hon David Warner):** The member for Halton Centre.

**Hon Ms Churley:** —may have very soon a Liberal government in power. I would like to ask the member if she will work with me to get that government to take its responsibilities in this area and other areas of violence as well that they keep asking me to do, when they know very well I don't have the jurisdiction to do it. I think it's a shame to get cheap headlines about something this serious to the province of Ontario.

**Ms Poole:** I really resent this minister implying on an issue as serious as this that we are, first of all, providing false information, which is patently not true, and secondly, trying to get cheap headlines. This minister has missed the entire point.

Nobody has taken jurisdiction for controlling the retail sales in this province and yet this very party did not hesitate, when it had no power over controlling the collective bargaining in this province, to take steps there. You had no power to regulate casinos in this province and you, as the minister, took power there. So why cannot you bring the issue to this Legislature with a piece of legislation? I don't care if it's my bill or your bill, but deal with the problem. You have the power to enact legislation. That is what this Legislature is for. You can take jurisdiction, Minister, and you are copping out.

Why won't you take a leadership role and stop trying to put it over to other jurisdictions, other levels of government when you can act?

**Hon Ms Churley:** The member doesn't understand jurisdiction. She stands here and talks about powers that I have within this government and in the province.

*Interjections.*

**Mr Chris Stockwell (Etobicoke West):** You are taking the free trade agreement to court and we don't understand jurisdiction? Holy smokes.

**The Speaker:** Order.

1450

**Hon Ms Churley:** I would again ask the members opposite to be responsible about this issue and to join with this government in demanding that the federal government take action. Our position is that we want



those cards kept not only out of Ontario, which the federal government could do and hasn't done—we have no control of what comes over the border, as the member knows. Some of the community people who are involved directly in this issue are saying publicly that it is a federal jurisdiction. They understand that, and I suggest you talk to them.

In the meantime, I will be pleased to work with the member, because we both care very much about this, to get the federal government to stop those cards from coming into the province.

**The Speaker:** New question. The member for Willowdale.

**Mr Charles Harnick (Willowdale):** My question is for the Minister of Community and Social—

**Mr Robert V. Callahan (Brampton South):** On a point of order, Mr Speaker: When my colleague was asking the question, the minister used words like “cheap headlines,” that it was incorrect information, “false” information. The minister should be required under the rules to withdraw those comments with reference to a colleague in this House.

**The Speaker:** First, I had recognized the member for Willowdale, so he will have his question.

To the member for Brampton North, the language, as I determine it, was not unparliamentary. However, if language used by one member of the House offends another, the practice that I have used is to allow the member who made the remarks an opportunity, if she or he wishes to, to withdraw those remarks, and I so offer that to the minister.

#### DAY CARE

**Mr Charles Harnick (Willowdale):** My question is for the Minister of Community and Social Services. Today, North York city council will be discussing a motion that asks you to respond to the discrepancies in your funding practices for day care.

Minister, your government has refused to fund the McKee McKids day care centre in my riding, you've put the private day care centres out of business, and now you refuse to adequately fund the Little Prince day care centre.

Can you explain to the people of my riding what your government is doing to provide workplace child care services in central North York, where studies have shown that these are a priority and are totally lacking?

**Hon Tony Silipo (Minister of Community and Social Services):** As the member knows, because he and I have talked about this, we are still trying to see what we can do about the specific applications dealing with the centres that he's mentioned, but certainly I can tell him that overall we are continuing to do a great deal with respect to expanding child care.

I think just a couple of days ago I was able to outline, in answer to another question, that we have put

into the system, in the space of four months, 4,000 additional subsidized spaces and expect another 4,000 subsidized spaces to be in the system between now and Christmas. In addition to that, we are continuing to provide capital dollars throughout the province for new child care centres to be built and existing ones to be rebuilt, so overall we're doing a fair amount, given the limited situation that we all find ourselves in.

**The Speaker (Hon David Warner):** The time for oral questions has expired.

#### USE OF QUESTION PERIOD

**Mr Charles Harnick (Willowdale):** On a point of privilege, Mr Speaker: I have a very important question dealing with day care. My question did not get on in full today. I didn't have a chance to ask my supplementary because the member for Kingston and The Islands—

*Interjections.*

**Mr Harnick:** I wish to finish my point of personal privilege.

*Interjections.*

**The Speaker (Hon David Warner):** Order. The member for Willowdale has the right to raise a point of privilege. I need to hear him and I would ask the House to come to order. Would the member for Willowdale place his point of privilege.

**Mr Harnick:** I appreciate that. The reason I didn't get my supplementary question on today is because the member for Kingston and The Islands decided to use his time to make a member's statement. It was a totally improper question. It could have very easily been done in the form of a statement. In fact it was a statement, and I object to the fact that I did not get my supplementary question on and that you allowed him to continue to ask it.

**The Speaker:** The member for Willowdale will know that he does not have a point of privilege. The time allotted for oral questions has expired. I did observe that today in fact the leadoff questions occupied considerably less time than they often do, presumably leaving an ample amount of time for a number of other members to ask questions.

However, in the ensuing 34½ minutes, a considerable amount of that time was occupied by members I can best describe as exercising unruly behaviour. It's your question period, and if members choose to use that time by making noise instead of asking questions or responding to questions, that is something which the members will have to live with.

**Mr Harnick:** On a point of order, Mr Speaker: I wonder if I might ask my colleagues for their unanimous consent to ask my supplementary.

**The Speaker:** Is there unanimous consent? No. Another point of order?

**Mr Harnick:** Yes. I'd just like to thank my col-

leagues for their appreciation for an important day care issue in my riding. Thank you all very much.

**Mr Jim Wiseman (Durham West):** On a point of order, Mr Speaker: I need you to perhaps give us some indication here. Is it reasonable for me to assume that questions by backbenchers on the government side are of equal importance as the questions from the opposition?

If it is, then why is it that when the member for Eglinton got up to make her question, she was allowed a minute 19 seconds on the first question and a minute seven seconds on the second question, and that the time allocations on this side of the House are significantly less? I would appreciate it if perhaps you could do one of those studies again to ascertain whether or not they are getting an unreasonable amount of time in their questions.

**The Speaker:** To the member for Durham West, I am always pleased to share the time sheets with any member who has the interest, and they're often a surprise to the member who poses the question.

**Mr Murray J. Elston (Bruce):** On a point of order, Mr Speaker: As required under standing order 34(a), I give you notice of dissatisfaction with the answer to my question that was asked of the Premier of this province and would ask that we be allowed to debate the issue Tuesday next.

**The Speaker:** I trust the honourable member will forward the necessary document to the table.

**Mr Ernie L. Eves (Parry Sound):** On a point of order, Mr Speaker: With respect to the point of order that the member for Durham West raised in this ongoing discussion about question period today, I was watching the clock as the member for Kingston and The Islands was posing his statement, and it took him approximately three minutes to pose his first statement.

*Interjections.*

**Mr Eves:** Here we go again.

**The Speaker:** Order.

1500

**Mr Eves:** I would ask you, Mr Speaker, to inquire into the matter, as I know you keep track of these things, as to how long it ultimately took for the member for Kingston and The Islands to pose his two questions. It would appear to most objective observers that in fact he did not have a question at all but rather a member's statement. We have a period under the rules for members' statements. I can appreciate why he didn't want to make his statement during members' statements, because they're only 90 seconds and his was four and a half minutes long. That's why he couldn't do it by way of a member's statement.

**The Speaker:** I understand. Would the member for Parry Sound take his seat, please.

I don't believe the honourable member wants me to investigate, each time a member's been on his or her feet, to determine whether or not an interrogative was found among the statements that were made. However, the member's point, and it's been made on several occasions, is that often the question period does not unfold as smoothly as it should, and members have to be aware of the time. I try to encourage members to be brief in their questions and their responses, but ultimately it is your question period, not mine.

**Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs):** On a point of order, Mr Speaker: I take the position put forward to you in the point of order by my friend from Parry Sound very seriously. If the table officers are able to assess the time it took for my friend the member for Kingston and The Islands to pose his question, I hope that in calculating that total time and comparing it to other members' question times they will take into account the amount of barracking on the other side that forced my friend to take twice as long as he should have to pose his question.

**The Speaker:** The member for Simcoe West.

**Mr Jim Wilson (Simcoe West):** I firmly believe that the privileges of opposition members have been violated, and I want to make the point. Your job, Mr Speaker, is to uphold the traditions of this chamber. Parliament, and in particular question period, is time set aside so that all members may raise issues of public importance and public issue.

**The Speaker:** What is your point of privilege?

**Mr Jim Wilson:** In the question that was posed, or the statement that was made, by the member for Kingston and The Islands, I fail to see the public importance or the urgency of that statement. Hence, the time he took to raise and make that statement cut off the—

**The Speaker:** No. Would the member take his seat, please.

*Interjection.*

**The Speaker:** The member is out of order. I will name the member. If the member refuses to take his seat, he will be named.

#### STATUS OF BILL

**The Speaker (Hon David Warner):** On Monday, October 18, the member for Dufferin-Peel, Mr Tilson, introduced a bill entitled An Act to amend the Law related to Freedom of Information and Protection of Privacy. It has been brought to my attention that this bill is contrary to subsection 3(2) of the French Language Services Act, 1986, and contravenes section 37(d) of our standing orders in that it is in improper form. I must therefore rule that this bill is out of order and it must be omitted from the order paper.



## MOTIONS

## CONSIDERATION OF BILL 40

**Hon Brian A. Charlton (Government House Leader):** I move that the order for third reading of Bill 40, An Act to stimulate Economic Development through the Creation of Community Economic Development Corporations and through certain amendments to the Education Act, the Municipal Act, the Planning Act and the Parkway Belt Planning and Development Act, be discharged and the bill be referred to committee of the whole House.

**The Speaker (Hon David Warner):** Is it the pleasure of the House that the motion carry? Carried.

## PETITIONS

## GAMBLING

**Mr Ted Arnott (Wellington):** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the New Democratic Party government has not consulted the citizens of the province regarding the expansion of gambling; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas creditable academic studies have shown that state-operated gambling is nothing more than a regressive tax on the poor; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the government has not attempted to address the very serious concerns that have been raised by groups and individuals regarding the potential growth in crime,

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos and refrain from introducing video lottery terminals in the province of Ontario."

I totally support this petition and will affix my signature to it.

## PROCEEDS OF CRIME

**Mr Gary Carr (Oakville South):** Thousands of constituents from my riding of Oakville South have asked me to table a petition in support of private member's bill 85 which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas criminals can currently derive profit from the sale of recollection of their crimes; and

"Whereas criminals can also derive profit for interviews or public appearances; and

"Whereas this can cause suffering of crime victims and that of their families,

"We, the undersigned, demand that private member's bill 85, introduced by the member for Burlington South, the Proceeds of Crime Act, 1993, be passed into law."

I would urge the government to do that.

**Mr Cameron Jackson (Burlington South):** I have a petition to the Legislative Assembly of Ontario.

"Whereas it is the right of every Ontario citizen not to be victimized; and

"Whereas victims of violent crime and their families have a right to be protected against exploitation by criminals who receive payments for their recollections of their crimes; and

"Whereas such payments should be dedicated to victims of crime; and

"Whereas private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, will ensure that money obtained by criminals as a result of their recollections of their crimes will be paid to the Criminal Injuries Compensation Board in Ontario to be applied to the needs of and services for victims of crime;

"Therefore we, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government endorse and support fully private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, and ensure its speedy passage into Ontario law."

**Mr Bill Murdoch (Grey-Owen Sound):** I have a petition to the Legislative Assembly of Ontario.

"Whereas it is the right of every citizen not to be victimized;

"Whereas victims of violent crime and their families have the right to be protected against exploitation by criminals who receive payments for their recollection of their crimes; and

"Whereas such payment should be dedicated to the victims of crime; and

"Whereas private member's bill 85, An Act to prevent unjust enrichment through the proceeds of crime, will ensure that money obtained by criminals as a result of their recollections of their crimes will be paid to the Criminal Injury Compensation Board to be applied to the needs of and the services for victims of crime;

"Therefore we, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government endorse and support fully private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, and ensure its speedy passage into law."

1510

## LANDFILL

**Mr W. Donald Cousens (Markham):** A petition, Madam Speaker.

"Whereas on October 24, 1991, the NDP government introduced Bill 143, the Waste Management Act, and tried to force the Legislature to pass the bill before Christmas in 1991 without public consultation or notification to affected municipalities and residents and without naming the candidate landfill sites; and

"Whereas the NDP were forced into five weeks of public hearings and listened to over 200 presenters all recommending amendments to Bill 143; and

"Whereas the NDP refused to listen or pass any opposition amendments to Bill 143, which would protect and secure individual and municipal rights to full environmental assessment hearings on waste alternatives such as rail haul; and

"Whereas the NDP used their majority to pass Bill 143 on April 23, 1992, with the full support and endorsement from Jim Wiseman, MPP, Durham West; Larry O'Connor, MPP, Durham-York; Gordon Mills, MPP, Durham East; and

"Whereas the NDP named 57 candidate landfill sites on June 4, 1992; and

"Whereas Ruth Grier and the Premier refused to meet with groups opposing the dumps and refused to consider the alternatives like rail haul, contrary to Mrs Grier's support of rail haul in January 1991; and

"Whereas Mrs Grier refused to meet with the residents and the mayor of Kirkland Lake to review the Adams mine proposal and proceeded to ban rail haul without considering the impacts on the northern economy; and

"Whereas the NDP government created the Interim Waste Authority to find a solution to GTA waste and operate independently from the Minister of the Environment, but at the same time the IWA was forced to adhere to Mrs Grier's ideology and her ban of waste alternatives such as rail haul and incineration; and

"Whereas the IWA and the NDP government refuse to conduct an environmental assessment on the alternatives and remain firm on subjecting communities in the regions of York, Durham and Peel to a process that ignores their fundamental rights to a review of alternatives and employs a system of criteria-ranking that defies logic and leads to the selection of dump sites on environmentally sensitive land or prime agricultural land and on sites located near urban areas;

"We, the undersigned, want Bill 143 revoked and replaced with a bill that would allow a full environmental assessment on all waste management options."

I sign this petition, knowing full well that the people of my riding and the people in York, Metro and Peel are dreadfully concerned about this petition and what the government is trying to do to bring in these landfill sites which we're expecting very shortly. The government has broken the law. They continue to break the law with this very action, and we take offence at it.

#### PROCEEDS OF CRIME

**Mrs Margaret Marland (Mississauga South):** I have a petition to the Legislative Assembly of Ontario.

*Interjections.*

**The Acting Speaker (Ms Margaret H. Harrington):** The members would like to be able to hear the member who is speaking. Please take the floor.

**Mrs Marland:** I have a petition to the Legislative Assembly of Ontario:

"Whereas it is the right of every Ontario citizen not to be victimized; and

"Whereas victims of violent crime and their families have a right to be protected against exploitation by criminals who receive payments for their recollections of their crimes; and

"Whereas such payments should be dedicated to victims of crime; and

"Whereas private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, will ensure that money obtained by criminals as a result of their recollections of their crimes will be paid to the Criminal Injuries Compensation Board to be applied to the needs of and services for victims of crime;

"Therefore we, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government endorse and support fully private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, and ensure its speedy passage into law."

I'm happy to add my support and signature to this petition.

#### PICKERING AIRPORT LAND

**Mr Jim Wiseman (Durham West):** "To the Legislative Assembly and the Lieutenant Governor of Ontario:

"Whereas the federal government intends to dispose of surplus lands on the Pickering airport site"—I still don't know what they want to do with them, but anyway—"that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the immediacy of the federal sale plan," in fact, are being confused because one wants to put an airport there and the other one's writing letters saying not to;

"We, the undersigned, petition the Legislature of Ontario as follows:

"Therefore, that the provincial government of Ontario request of the federal government of Canada to initiate a public review by panel of the federal Minister of the Environment to ensure an organized disposal protecting these resources and the community of residents there."

This is the headwaters of many creeks and streams and also on the Oak Ridges moraine, which is covered



by our Oak Ridges moraine policy, which the federal government continues to just defy.

This petition has been signed by people all over southern Ontario from Ashburn, Uxbridge, Pefferlaw, Willowdale—you might want to take note, Mr Harnick—Greenwood, Guelph, Greensides in Toronto, Mississauga, Oshawa and all over southern Ontario, people who are outraged by the federal Tories' continued disrespect for the rights of the people of North Pickering, and I have signed this petition.

#### PROCEEDS OF CRIME

**Mr David Johnson (Don Mills):** A petition to the Legislative Assembly of Ontario:

"Whereas it is the right of every Ontario citizen not to be victimized;

"Whereas victims of violent crime and their families have a right to be protected against exploitation by criminals who receive payments for their recollections of their crimes;

"Whereas such payments should be dedicated to victims of crime; and

"Whereas private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, will ensure that moneys obtained by criminals as a result of their recollections of their crimes will be paid to the Criminal Injuries Compensation Board to be applied to the needs of and services for victims of crime,

"Therefore we, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government endorse and support fully private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, and ensure its speedy passage into Ontario law."

It's signed by a number of residents of the province of Ontario, including the riding of Don Mills, and I affix my signature to the petition.

**Mr Charles Harnick (Willowdale):** I have a petition addressed to the Legislative Assembly of Ontario which reads as follows:

"Whereas it is the right of every Ontario citizen not to be victimized;

"Whereas victims of violent crime and their families have a right to be protected against exploitation by criminals who receive payments for their recollections of their crimes;

"Whereas such payments should be dedicated to victims of crime; and

"Whereas private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, will ensure that moneys obtained by criminals as a result of their recollections of their crimes will be paid to the Criminal Injuries Compensation Board to be applied to the needs of and services for victims of

crime,

"Therefore we, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government endorse and support fully private member's bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, and ensure its speedy passage into Ontario law."

I've included my name on this petition.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mrs Marland from the standing committee on government agencies presented the committee's ninth report.

**The Acting Speaker (Mrs Margaret H. Harrington):** Does the member wish to make a brief statement?

**Ms Margaret Marland (Mississauga South):** I am very happy to submit, on behalf of the standing committee on government agencies, that report today. There are two appointments contained therein, one of Dr Murray Waldman and one of Ms Jean Pigott. Both those people are being appointed to government agencies, and through their service this province will be well served.

**The Acting Speaker:** Pursuant to standing order 106(g)(11), the report is deemed to be adopted by the House.

1520

#### INTRODUCTION OF BILLS

##### CITY OF TORONTO ACT, 1993

On motion by Ms Akande, the following bill was given first reading:

Bill Pr45, An Act respecting the City of Toronto.

##### CITY OF TORONTO ACT, 1993

On motion by Ms Akande, the following bill was given first reading:

Bill Pr48, An Act respecting the City of Toronto.

##### CITY OF TORONTO ACT, 1993

On motion by Ms Akande, the following bill was given first reading:

Bill Pr61, An Act respecting the City of Toronto.

##### OTTAWA JEWISH HOME FOR THE AGED ACT, 1993

On motion by Mr Grandmaître, the following bill was given first reading:

Bill Pr56, An Act to revive Ottawa Jewish Home for the Aged.

#### ORDERS OF THE DAY

##### CAPITAL INVESTMENT PLAN ACT, 1993

##### LOI DE 1993 SUR LE PLAN D'INVESTISSEMENT

Resuming the adjourned debate on the motion for third reading of Bill 17, An Act to provide for the Capital Investment Plan of the Government of Ontario and for certain other matters related to financial administration / Projet de loi 17, Loi prévoyant le plan

d'investissement du gouvernement de l'Ontario et concernant d'autres questions relatives à l'administration financière.

**The Acting Speaker (Ms Margaret H. Harrington):** I believe the member for Markham had the floor.

**Mr W. Donald Cousens (Markham):** It is difficult to just pick up in the middle of where one was at that time on Thursday last week.

We're dealing with Bill 17. The bill is badly named. It's called An Act to provide for the Capital Investment Plan of the Government of Ontario and for certain other matters related to financial administration. It's badly named in that you really don't begin to realize that this is the bill that is going to establish three new crown corporations and give power to another one. We have the Ontario Financing Authority, the Ontario Transportation Capital Corp, the Ontario Clean Water Agency and the Ontario Realty Corp.

What it should really say is that it's the expansion of government into other sectors. It's an example of the government creating a bill and a new administration when it doesn't need to.

I'm opposing the bill. Our caucus will do everything we can within this legislative debate to fight it. Regrettably, the Legislature can no longer do anything more than just have short little chats on bills, because the government has restricted the amount of time that we can deal with a bill.

As the first speaker for our party, the maximum I can have is an hour and a half, and then every other member can only speak for up to half an hour. There's a short time for a few questions and answers on what one has said, but the fact remains that since the New Democrats came to power, the Legislative Assembly has been very restricted in the amount of time that members have to speak on bills.

They've also restricted the ability of members to deal with what government is doing. An insidious problem exists with Bill 17 in that what we have here is the creation of a bureaucracy outside the Legislative Assembly, now reporting through to ministers, removed from direct reporting to the floor of the House. That therefore means that the ministers have a way of diverting resources through to these agencies. The ministers can then divert funds through to them.

We've already talked about the way the government is fraudulently allowing the books for the province of Ontario to say that there is going to be a debt of so many billions of dollars, when on the other hand, \$800 million has been allocated for the startup of these crown corporations. I was chastised by the Speaker last week for using the word "fraud" when I said that the government, in bringing forward this legislation, was making a fraudulent act. The Speaker himself was sitting in the chair and he took strong exception to anyone calling this "fraud."

I brought along my thesaurus, because I'm trying to figure out—I'm still dealing with the problem we have, in that on the one hand the government already could do everything it needs to do within existing legislation, within existing ministries, without any more creation of a bureaucracy, without any shoving off from the books of the province of Ontario into another series of books. It could do everything within its own fiscal realm as we have it, reporting through to here, to the Legislature, but instead the government has said, "Now what we're doing is we're taking it off the books and we're setting up these crown corporations."

When I called that fraud, the Speaker took strong exception to it. Fraud really is the act of taking information, data, or doing a deed in a tricky, underhanded way, moving it somewhere else. So I want to look at this thesaurus.

I've looked at the dictionary, but fraud is deceit, fraudulence, misrepresentation or deception, fake, bastard, sham, humbug, four-flusher, imposter, pretence, racket, swindle. There are a lot of things. I don't know which word would work best to describe what the government is doing to the people of Ontario by setting up this series of crown corporations, but it's something like all those put together.

What I'm really trying to find is the word in the English language which is so perfect in so many ways. I'm not able to find a word to describe this mechanism the government is using to establish these four unnecessary agencies, which it doesn't need to do, to get the data off the books, which it doesn't need to do, to hide the staff and the people who are going to be in these agencies and to hide the amount of money that's really going to be going out to them. I hope someone will come forward and give me a name to call this. I can think of many names to call the honourable members, but I want to get some special name that allows me to describe this act, which is all composed in Bill 17.

This is just another example of the province of Ontario moving farther and farther away from the people. We're watching an election in process in Canada where the people are angry, and they're looking to their individual members to say: "What are you going to do for us? How are you going to represent us? What are you going to do to make a difference?"

When we are elected to this very high office, there isn't one of us who doesn't come into the place without the sense of wanting sincerely to improve the province of Ontario. Yet our ability to put our finger on the problems and the issues is being eroded by the efforts of the government to move things away from where we sit into the inner sanctums, the sancta sanctorum, of each of the ministries so that it's again out of reach of the public, out of reach of the public's representatives, those members of the opposition, and even the backbenchers if they ever stop to think about it. It's only the



ministers themselves who are able then to deal with what's going on, truly and completely.

I'll never, ever be able to figure out what's going on, certainly as we've tried to with the Interim Waste Authority. There isn't one of us in opposition who hasn't tried to ascertain how much money they're spending, what's going on, what criteria they're using, yet we have been stonewalled consistently by the ministers of Environment, first of all Mrs Grier and more recently Mr Wildman, who consistently refused to answer questions on the Interim Waste Authority. I have to believe that the same kind of stonewalling will be just part of our general day's fare at Queen's Park when we're asking questions on any of these crown corporations. We will continue to be stonewalled.

1530

So as we look at the different authorities, it is with no pleasure, absolutely no pleasure at all, that I have to spend time in the House fighting a battle I will not win. I cannot win. The NDP have 70 seats and the members of the government vote with the government, for the government, on a consistent basis. There are two or three independents around the House, not enough to make any difference to what we're really trying to say, and the government votes en bloc. The government's not going to fall if this doesn't go through, but it's a blind following in the footsteps of what the cabinet and the government want them to do.

**Mrs Margaret Marland (Mississauga South):** On a point of order, Madam Speaker: The member for Markham is making very important remarks during his speech in this House and I think there should be a quorum present for that.

**The Acting Speaker:** Would the clerk please determine if a quorum is present.

**Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**The Acting Speaker:** A quorum is now present. Would the member for Markham care to resume the floor?

**Mr Cousens:** Thank you very much, and thank you to the member for Mississauga South. The government has a responsibility to have the number of members in the House, and they're obviously doing other things.

An example, as I'm trying to point out, in the Ontario Financing Authority is the inability of members of the Legislature to determine what is going to go on within these different agencies. I mentioned the Interim Waste Authority as an example of how the government sets up an arm's-length relationship of another crown corporation and at that point the government is able to absolve itself from responsibility for what goes on within that organization. By so doing, it means that when members

of the opposition ask questions, as we have many, many times, about the planning or lack of planning or the bad planning that's going on within the Interim Waste Authority, we have achieved zero results. We have not succeeded at all in getting through to the minister, nor are we able to get through the whole process that's now established in the Interim Waste Authority.

Another example of that kind of distancing of ministries and government from opposition and the floor of the Legislature is what the government is doing with the social contract secretariat. This, as we talk in particular about the Ontario Financing Authority, is a ministry that, though I have a very high personal regard for the Minister of Finance—I don't think there is anyone here who on a personal basis doesn't like the Minister of Finance as a human being, an individual. But I have had great frustration in dealing with his ministry and in trying to obtain information as it pertains to the social contract.

You go back to, again, the fundamentals. When Mr Rae and his government came to power on September 6, 1990, it was an election, in fact, I wish more people in Ontario would remember. The effect the election had—just a little, small diversion, but it's a fact. I mean, that was an election where a government was voted out—

**Mr Murray J. Elston (Bruce):** A small diversion? You're trying to stop a flood.

**Mr Cousens:** They caused more than that, Murray. We had the election that Ontario should be remembering right now, before we get to the election on the 25th. There was a government that was voted out of office, and someone else got in. They weren't voted in; it was one of those freaks where people don't vote in a government, they vote someone out. That's part of the process that's going on now.

**Mr Elston:** I prefer the last government to this one.

**Mr Cousens:** Aren't you something.

**The Acting Speaker:** Would the member direct his comments to the bill, please.

**Mr Cousens:** In fact, you're absolutely right, Madam Speaker. I apologize for going off on that little diversion.

But I was in particular trying to illustrate that the Minister of Finance has obstructed the work of the opposition by virtue of the way in which information has become unavailable on the social contract. The moment anyone tries to find information out about it, you just get no answer.

I wrote a letter. First of all, I put order paper questions in which I tried, as Finance critic for our party, to gain access to the contracts and agreements of the social contract, wanting to at least go through them on a personal basis to see what they contained, what they didn't contain, how consistent they were with one

another, whether or not they really did achieve the goals the government had hoped they would, whether or not you had different standards for different groups. Having a certain belief that things wouldn't be perfect, I wanted personally to go in and have a look at it with my staff. So, having tried everything, this is the letter I wrote on August 17, in which I said:

"On July 20, in a meeting with representatives of the Minister of Finance's staff, I was assured that the contracts that had been made would be available to my office. On July 29, I filed a request via the order paper for information so that I could see the contracts. During the week of August 3, I again through my office made a request of the social contract secretariat to review the contracts the following week. Each and every attempt to review these contracts has been denied by the Ministry of Finance."

So in trying to do one's job on an issue that's current today, the social contract, which is still going on and is still not working and on which I still have many questions, I can't get any answers. It's so frustrating and infuriating—

**The Acting Speaker:** Excuse me. To the member, could you connect this to Bill 17, please.

**Mr Cousens:** I sure can, because that's exactly the fear I have when the government sets up another bureaucracy, known as the Ontario Financing Authority. That's exactly what they're going to do: They're going to prohibit opposition and other members from gaining access to that information. That is the lunacy of this Queen's Park these days. The government moves information and power and responsibility away from a minister into a secretariat, into a crown corporation, into an agency, and then it disappears. It disappears so that members of this House can't deal with it.

That is in fact a major problem, because we're elected as members to deal with the public will, the public good, what's going on. When you're stonewalled, when you can't get through—there are so many instances that we have had where we've tried to get information.

Just think of the days when the New Democrats were in opposition and demanding a freedom of information act so that they could then say, "We could get into the ministry so that we could get to something." Now we have the Freedom of Information and Protection of Privacy Act. The bills I have had to pay that come out of my own funds to pay for information, and when you finally get it—you don't know whether it's going to be any good or not until you see it, and most of what I've ever asked for hasn't been of the kind of use that I'd hoped it would be. Therefore, you keep exploring and looking so that you can get on top of it, but because information is not readily available if you don't ask the exact right question, you get nothing.

Now what we're going to have—and we have it in

spades with the freedom of information act. It doesn't work, it's expensive to use and it's very, very cumbersome to try to get through it to get to the bottom of anything. I then say that a concern that is uppermost in my mind is the inability for members of this Legislature to interrogate and to find out what is going on within these different crown corporations.

I see it as another example of the government shoving accountability away from itself to these crown agencies to circumvent the involvement of members of the opposition. The last thing they want to do is have the member for Mississauga South, Mrs Margaret Marland, raising questions on housing matters. If they can, they'll just keep them buried for years.

The problem is that people like Mrs Marland and members of our caucus will not let up. There is a determination to stay with it, and eventually we get to the bottom of what's going on. But I'm concerned that it's not only a removal of information from the legislative process; it's a removal of accountability.

What we're also seeing are the decisions being moved to another level. I don't know who is going to make the decisions now so that when the local hospital in every community, through its agencies and the health committees that they have—when they make a request for moneys, is it in any way going to be blocked through this financial authority? If a school board is looking for funds, if a municipality is in need of certain financial support or assistance or grant structures or special plans and programs, if the universities are also on the search for certain moneys along the way and commitments have been made by government, is there a guarantee that the moneys they've requested are going to be forthcoming through these crown agencies?

1540

But you see, by again moving them away from the ministry directly, which can do it right now without establishing these crown corporations—then these municipalities, universities, schools and hospitals, known as MUSH when people talk about it in Queen's Park jargon, would be able to know they have a direct contact with the ministry officials. Now it just becomes another layer of bureaucracy, another level that they have to go through. It is an example where the government has again just bureaucratized things even further.

I also find it so ironic that the government can, in the same ministry, stand up in this House, as Mr Laughren did last week, and require businesses that are on the public stock exchange, listed in the Toronto Stock Exchange, to list the salaries, incomes, compensation packages and benefits of the top executives of those companies that are so listed. That becomes a way in which the government wants to universalize this availability of information, which is true in the States. But the same government, under the Liberals just a few years ago, went and closed off that information as to



what the salaries were of the public service in the province of Ontario. So no longer in the annual report is there a listing by name for each deputy minister and assistant deputy minister and other staff at the senior levels. No way is that public information. The government of Ontario is going to come along and require of the private sector all kinds of information about the salaries of executives in business and industry, and yet the government doesn't do the same kind of service here in the province of Ontario.

**Mrs Marland:** On a point of order, Madam Speaker: I do insist that the member for Markham is making remarks in this debate that are important to everyone in Ontario, and I think there should be a quorum in this House.

**The Acting Speaker:** Could the Clerk please determine if a quorum is present.

**Senior Clerk Assistant and Clerk of Journals:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**The Acting Speaker:** A quorum is now present. We will resume the debate on Bill 17. The member for Markham.

**Mr Cousens:** If the government is going to require private sector companies to make public the salaries, perks and compensation packages of their executives, why then does not the government do the same with its own senior staff? I don't expect you to answer that, but I had tabled that as a question on the order paper that afternoon on October 18 when the minister made this special announcement, which has not received any support from anyone that I know.

I have also asked that the Minister of Finance release the details of salaries and any other compensation and benefits paid to all deputy ministers and each of the four highest-paid public servants in the province of Ontario in each of the ministries so we can get that from them.

You know something? Isn't it terrible that I had to come along and start asking for that this way when he's coming along and making the demands in other ways? I think we're going to extend that so that we can get the salaries of union heads and some others as well. But, you know, it's a double standard, and we've become somewhat accustomed to it from the NDP government in Ontario. They'll expect one thing from people outside of this place, but they will not reciprocate.

That is part of the frustration we have in dealing with the introduction of another authority such as the Ontario Financing Authority. The Ontario Financing Authority will just become another one of those pocket organizations of our Treasurer and the Ministry of Finance and again ceases to really serve the needs of the people of the province of Ontario because you don't need it in the first place, because you don't need any

legislation in the first place, because the ministry would be able to continue to provide these things, these services, these moneys through the existing channels that are already existing, because the government already has the staff and people who are doing it already without coming along and moving them out of that ministry into other places and saying, "Oh, look at that; we've reduced the public service and we've found a new way of funding things." What they've done is take it off the books. I don't find it palatable at all and I will fight introduction of this part of the bill.

The second thing that I have concerns with is the Ontario Realty Corp. This is one of the other corporations that's being established by the government in order to set up a continuation of the whole land corporation that was existent before. What we're talking about there is all the lands that are owned by the province of Ontario which the government at some point decides to sell. I can understand that the government's not going to hold on to it for ever. But now what they're doing, instead of accepting the fact that the Ontario Land Corp, which is already working and running along, we're changing the name and it's now going to become this, the Ontario Realty Corp. And what's going to go on there? Well, I can see the government wanting to get rid of certain properties, and I accept that. But I have to ask you, first of all, is it needed? The answer is no. We have a service already providing it. So why come along and change it and give them even more powers?

The problem we have is that once it's further removed from the Legislature it's going to be an awful lot like the Ataratiri project, an example of where the government, in its great wisdom when the Liberals were in power—and it doesn't take much to go back to the days when the government decided that this was going to be a new non-profit housing project and the government had decided that that 80-acre site down on the Don River would house a community of some 12,000 people. They were going to establish a partnership with the city of Toronto. This would become the Ataratiri project. I think it's a Huron word meaning "village beside water."

The government then was going to give a guarantee of some \$800 million to the city for the purchase of the land and the money was to be recovered through the sale or lease of some 7,000 housing units. It all had good mathematics and arithmetic to David Peterson and the then Liberal Party. What happened is that once they started looking at the land they realized that the site was unacceptable. They looked at it and they realized immediately, once they had the land, that they were going to have to flood-proof it, and that was going to cost another \$15 million. No one had thought of that beforehand when the Liberals were coming up with the proposals for the Ataratiri. But suddenly it became necessary that it had to be sound from any flooding of the Don River.

Approximately \$3 million an acre was paid for the Ataratiri site, which had some 500,000 cubic metres of polluted soil. The cost of cleanup for this polluted soil escalated to \$1 billion from the originally anticipated \$32.5 million. What kind of a percentage increase is that from \$32.5-million expected cleanup cost to over \$1 billion for the Ataratiri project alone? A UDI study of that project showed that the cost per unit of the project, including the cost of the environmental cleanup, would average \$250,000. The completion of the project, according to the same study, said that it would have risen to an over \$2-billion price tag from the original estimated cost of \$444 million.

What we ended up having was an example where the government started meddling in the private sector. They came along with their fancy dream—David Peterson, Chaviva Hošek and the Liberals of the day—made their magnificent announcement of this new Ataratiri project. Then what we end up having now is, the project is cancelled, it's financially unfeasible, the project is scrapped—

**Mrs Marland:** Chaviva Hošek is now advising Mr Chrétien.

1550

**Mr Cousens:** That's right. As my friend Mrs Marland, who is also our Housing critic, probably one of the most influential people in our party on housing matters, and certainly the government listens to what she has to say—in fact, I can point to one of the press releases I happen to have here from the member for Mississauga South that ties in to the whole problem of government meddling around in things it doesn't understand.

Let me just give credit to this noble lady for the way in which she called for a probe of the Ataratiri project at the time:

"PC Housing spokesperson Margaret Marland today called for a committee of the Legislature to conduct a full investigation into the Ataratiri fiasco. The aborted public housing project has already cost taxpayers more than \$300 million, and some estimates suggest the final price tag may reach \$1 billion.

"'Ataratiri has been an obscene waste of taxpayers' money, initiated by the Liberals and kept alive by the NDP for another 18 months after they took office,' said Marland. 'It's unacceptable that they pour hundreds of millions of dollars of the people's money down the drain and then be allowed to wash their hands of the whole thing. They must be held accountable.'"

That's what Mrs Marland said back on January 14. That's what I'm saying is going to happen with the realty corporation. It's just one great opportunity for the government to shove things into other agencies and crown corporations to get rid of them, rather than deal with them here, where they should be dealt with. You have a marvellous way, when you're in opposition, of

saying it has to be one way; when you're in power, it becomes very much a different story.

This is an example of how the government has gone sour, how it's gone wrong, and why we have nothing but distrust of a government that is going to try more such kinds of projects. The government comes along and says: "Aren't we full of good intent? Aren't we going to do something?"

The very opposite happened in the UK. Margaret Marland—there's another Margaret in the world besides you; I mean Margaret Thatcher.

When Margaret Thatcher came to power in the UK, one of the major thrusts that she had in government was to divest the government of all the lands it owned. What we're into now in Ontario is the opposite. We have Mr Rae and his government with their social policy buying up land and building social housing. What we drew to the attention of the government just a few days ago in the Legislature is the cost of that.

We had one example where a shelter cost \$1.3 million for four units. When you start looking at the cost of it, the cost is well over \$300,000 per unit. If you start taking the interest on that alone, you have a sufficient amount that if you even just gave a subsidy of some kind to people in already existing rental accommodation that's available in Toronto, you wouldn't have to build more accommodation and then subsidize it and carry it and pay for the money on an ongoing basis.

What will probably happen is that with this government's policy of buying up land and building subsidized housing, in five or seven years one of the things it's going to have to sell off through the Ontario Realty Corp is all this land that it's building up now for affordable housing.

Government has no financial accountability, this government in particular. The Liberals were very much the same in the way they set up the Ataratiri project. This government's own housing program is one that is going to be doomed to defeat and will be on the selling block before the century is over, as the government really can't—

**Mr Bill Murdoch (Grey-Owen Sound):** They make the Liberals look good.

**Mr Cousens:** It's hard to say that, but it's true.

There they are, setting up another bureaucracy, and continuing to pour money into it now. People think wrongly that the government is trying to balance the books right now, with its \$10-billion-plus deficit this year, and it will be over a \$10-billion deficit, even though their own forecasts would make you believe it's less. The government continues to spend loads of money, hundreds of millions of dollars, on this whole affordable housing policy.

**Mr Murdoch:** What's the auditor saying?

**Mr Cousens:** My honourable friend behind me is



pointing out the auditor's report on non-profit housing. He has come out and soundly criticized this government for the way in which it has no controls. In fact he says, in assessing the Ministry of Housing's controls over project selection and development and controls over completed projects, that it's just a total mess.

He says, "The controls in place to ensure projects were only built where needed and at a competitive cost were less than satisfactory."

He says, "Need and demand studies were not thorough, and so a number of projects were allocated to communities with high vacancy rates and little demand for 'market rent units.'"

He says, "Despite a significant decline in land prices and construction costs...the cost of projects approved...in 1990 and 1991 continued to increase...."

He says, "In the absence of competitive procurement practices, the allowable maximum unit price became a target price for developers rather than a ceiling...."

Despite being "satisfied that income verification procedures were properly performed," the auditor was "not sure whether the most needy were being housed in an equitable and sufficient manner." He said the potential savings to the ministry if adequate controls are implemented stand to be over \$264 million.

When you start talking about this government setting up another bureaucracy known as the Ontario Realty Corp, it just becomes another way for it to sidestep accountability, responsibility, fiscal reality. Because the Speaker has not allowed me, I can't call this a fraud; I can't call the government liars, cheats. What else did the thesaurus say I couldn't call them? Deceitful, tricksters, imposters. I will not call the government that, but I can't think of a better word to use.

**The Acting Speaker:** The member for Markham, please be careful in your comments.

**Mr Cousens:** I understand, Madam Speaker. I'm on the edge, aren't I, where it might upset you, and that is not something I want to do.

When I start talking about the creation of the Ontario Realty Corp, it is to me an example of the government again trespassing, cutting into an area where it doesn't need to. There are already the mechanisms to deal with land and selling of land, and to come along and have this whole process established so that it's one step removed from the Legislature and reporting only through the minister is a way in which they are going to have it easier to cover up the data and the information from criticism and investigation by opposition members.

That's how our system works. Our system is effective only when the opposition is able to ask questions and is able to deal with information. Because we can't get information, because it's a massive coverup within the bureaucracy, because it's so buried within the different agencies, it then becomes all the more impossible for us

to deal with what's really happening there.

The Ontario Transportation Capital Corp: Now, I have mixed feelings from people who have talked to me about how wonderful it is that your transportation corporation is going to be involved with the construction of Highway 407. I, for one, am pleased to see 407 accelerated. It is a major highway that's needed, and indeed other major highways are needed across Ontario. We can't continue to just close our eyes to the need for infrastructure. We need infrastructure. It's the way in which people travel, it's the way commerce works, and without 407 until now it's been a loss of tremendous amounts of money for the greater Toronto area and for the province of Ontario as whole. To have 407 built will be a tremendous boost to our long-term economy, for tourism and for other reasons.

The problem we have around it is that already I have the sense that 407 is becoming another one of the examples where, because it's going to be built by outside resources—if that's a faster way of building it, I'm willing to accept that, but are there changes being made in the overall planning process for 407? I am led to believe that 407 is being reduced in size from a 10-lane to an 8-lane highway. I have been led to believe that some major intersections are being eliminated, already being cut back. I don't want to tell you which ones, because I haven't had a presentation by the ministry, but it would appear that because of—I don't know, I haven't been told; I'm finding it out through other sources—that these changes are being made.

There isn't any reporting through the Legislature. It's going off to a separate area of the ministry and into another agency maybe, so that we, as legislators, will have to work all the harder to find out what's really going on. Then, when we do find out and don't like it, we have less we can do about it. We have less pressure we can put on the minister, because the minister is going to say, "Oh well, talk to the chairman of the Ontario Transportation Capital Corp"—or chairwoman; I don't care who it is. I know I'll have less contact through the ministry itself in order to deal with it.

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Recently one of the people in my community was suggesting that if it were possible, with the surplus lands around the building of Highway 407, that some of those lands could be accessible for nature walks and for people trying to go through the Rouge Valley, to build connectors between some of the sections that aren't otherwise available, it would be wonderful.

If we had some way of dialoguing and talking with the people who are planning this highway, we would be able to interface more effectively with them. Everybody benefits by the building of a new highway. The people who build it will benefit, and over the long term our people in Ontario will benefit through improved commerce, trade, tourism and other factors.

In the meantime, the planning process has to be open and available so that all of us who are interested and want to be involved have a way of participating. What is happening now is that the decisions are being made in areas where we cannot reach them, cannot find out, cannot determine. You say the Ontario Transportation Capital Corp is going to help build Highway 407. I'm happy about that, and I'm glad it's going to be accelerated. I've said that from the beginning.

**Mr Kimble Sutherland (Oxford):** But.

**Mr Cousens:** Yes, but: But I'm concerned we're going to have a toll on it. The group that is going to levy the toll is not going to be the Ministry of Transportation; it's going to be this corporation. If we have some problems with the information it's gathering and how much it's charging, are we going to be able to do anything in the House?

I can just hear the answer. We'll say, "We're concerned that the toll rates on 407 are too high and we would like to ask the minister if there's anything he can do about it," and the minister's going to say: "I can't answer that question. That's under the auspices of the Ontario Transportation Capital Corp, and I'll have to refer that to them. If you want to ask them, write them a letter." Then it's just like writing a letter to some of the other people who don't answer you.

I want the people who are responsible for the big things in our province to be accountable to the Legislature, not accountable through to some other level. I want it so that if you need an answer and the answer is in the ministry, the minister can be forthcoming with the response.

That has to be fundamental to a working democracy, and as democracy is now being eroded, the power that once resided in the chamber of the province of Ontario is now being taken away gradually, systematically and being passed through to other levels. If you see that as progress, I see it as an erosion of democracy at the same time. I see it as a total undermining of democracy when you start setting up this arm's-length process. I see it as a way for the government to evade responsibility. I see it as a way for the government to cover up what it's really doing.

Therefore, I oppose the section as it pertains to the Ontario Transportation Capital Corp too, because we could get all we want in the building of new roads and setting up of new systems, have a toll collection system and anything else we want to do within the transportation network of the province, through the existing Ministry of Transportation without having this new agency formed.

**Mr Sutherland:** No.

**Mr Cousens:** I know that, and you say no. Kim, I have to tell you, you believe the government line; it's just fine that you do. You don't need to have it. If you want to have new bills that give special powers to the

minister to carry on what he's doing, do it within the existing system. Don't start creating another system that runs outside of the Legislative Assembly. That is the damnable thing about the creation of these four crown agencies.

Now we come to the fourth one, and I'm running short of time: the Ontario Clean Water Agency. Clean water has to be one of the things all of us in the province of Ontario have taken too much for granted. We want to make sure that everyone has clean water, and I have been a supporter of the MISA guidelines and the efforts through environmental acts. We have, through cooperation in joint Canadian and American laws, designed ways to protect our water. This is something that's gone back through Liberal, Conservative and now NDP administrations: doing everything we can to protect the Great Lakes. Clean water is something we want to have.

But the question I raise is user fees. If the Ontario Clean Water Agency is another way of describing the beginning of a tax on business and the consumer for the use of water, that's probably more close to what this agency is all about. If the role of this agency is to manage and protect our water resources, why impose a water tax? Will these funds go to clean up our water resources? You certainly cannot buy more clean water with a user fee. What you're trying to do with this bill is find another way of imposing a tax on users.

**Mr Sutherland:** Oh, come on.

**Mr Cousens:** Well, it is. There is no doubt that this clean water agency has the power to start collecting money for water, till now free. Industry's spending money cleaning it up, and now there's going to be a user fee; now you're going to have another way in which business and the private enterpriser are going to be paying for water. All I'm saying is—

*Interjection.*

**Mr Cousens:** We've got to find ways of paying for it; I'm willing to pay for anything. But don't hide it. Don't be so hypocritical and deceitful and fraudulent that you put it in a bill and then say you're not doing it.

**The Acting Speaker:** Order. The member for Markham—

**Mr Cousens:** That's the problem. That's why it's a fraud. So much of what you're doing is that out of one side of your mouth you say one thing—

**The Acting Speaker:** I caution the member for Markham.

**Mr Cousens:** I thank you, Madam Speaker.

**The Acting Speaker:** Would you please conclude.

**Mr Cousens:** We want a good, clean Ontario, but all we're going to do is find more taxes, more cost, more bureaucracy, more government.

**Mr Randy R. Hope (Chatham-Kent):** On a point of order, Madam Speaker: The member was making a



direct comment about the members opposite that I think was unparliamentary. I believe he owes the members a direct apology and should remove those remarks from the record.

**The Acting Speaker:** Would the member care to withdraw?

**Mr Cousens:** I know I offend the member because I call it hypocritical. Did I say you specifically were hypocrites? I don't think I did, but if I have used a word that is unparliamentary and I've offended one of the honourable members by using that, I withdraw it. My point is that I want very much to make the case that this bill is not necessary and it is a duplication of things that have already been done.

**The Acting Speaker:** The member's time has expired. Are there any members who wish to participate in questions and/or comments? I recognize first the member for Oxford.

**Mr David Turnbull (York Mills):** On a point of order, Madam Speaker: This is a terribly important issue, and the government should be keeping a quorum. I don't believe there is one.

**The Acting Speaker:** Could the clerk please determine whether a quorum is present.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**The Acting Speaker:** A quorum is now present. The member for Oxford has the floor.

**Mr Sutherland:** Madam Speaker, do I get my full two minutes as a result of the interruption by the member for York Mills? Thank you.

Once again the member for Markham is trying to put forward opposite arguments, as he does on many occasions. We hear the member for Markham say that the government should work with private business, should go into more cooperative ventures, should do that type of thing. We have a proposal here through the Capital Investment Plan Act to start those types of ventures, to have those ventures developed and created. But no, the member for Markham doesn't support that because he thinks it's distancing these things from the Legislature. There are all kinds of accountabilities set in place.

The member for Markham wants to have it both ways. Unfortunately, the member for Markham, who seems to live in Utopia, doesn't realize you can't have it both ways. What these capital corporations will do is allow for a more flexible and businesslike environment to occur, allow for joint venture partnerships to occur, which he has promoted in the past.

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At the same time he says, "I want Highway 407 built," he says "but I'm concerned about the tolls that may be put on" or "but I'm concerned about the way

it's done." The member for Markham knows full well that no individual government, no matter who's in power, has the money to allocate in one year or in two or three years to pay for the cost of building the entire Highway 407. We have an innovative setup here that will allow this to be constructed far more quickly.

With respect to his comments about the clean water agency, as I've stated in committee and have stated here several times, local municipalities will set water rates. The clean water agency's purpose is to work with municipalities, to examine conservation methods to ensure that they can have the most effective clean water and sewer systems possible.

**The Acting Speaker:** I recognize the member for Yorkview.

**Mr Turnbull:** On a point of order, Madam Speaker: I don't think you have a choice but to do a rotation.

**The Acting Speaker:** I want to explain that I did not see the member for York Mills. I do have to go in rotation if the members are standing. I will recognize the member for York Mills at this time.

**Mr Turnbull:** My colleague the member for Markham brought to this debate some very salient points, which I notice the government members have decided they want to disagree on, as is their wont. The fact is that there is no reason that has been demonstrated why you need separate crown corporations in order to enter into joint ventures with the private sector.

More than this, I would hazard a guess, and I don't think I would be wrong on this, that there is no member of the government currently on the benches who has ever spoken to a senior banker or a senior lender or any of the organizations who would likely go into these joint ventures on this issue about whether they need the structure of a crown corporation to enter into these agreements.

I have done this, and I would suspect my colleague from Markham has done this, so when he brings this knowledge forward, I think the government should at least listen. We do have the business experience that they are lacking. When the government was in the hands of the Conservatives, this was an extremely well-managed province, which laid down a significant amount of infrastructure which has not been regenerated since then. That's one of the basic problems we face.

I would ask that perhaps the members of the government at least go out and speak to the bankers and speak to the companies who would enter into these construction contracts and find out whether this is indeed the case, because I think they will find that they are wrong in their assertions.

**Mr George Mammoliti (Yorkview):** While I have great respect for the member for Markham, this time I've got to say that I didn't enjoy his speech. I didn't like what he had to say. I thought it was a total misrep-

resentation of what's going on here. When you talk about Bill 17, you need to talk about—

**Mr Cousens:** Madam Speaker, on a point of order: He says I have given a total misrepresentation of this, and I take strong exception to that. I would ask him to withdraw that.

**The Acting Speaker:** Could I ask the member to consider the words that he is using, please.

**Mr Mammoliti:** I could consider that, yes. I do withdraw that.

**Mr Cousens:** On a point of order—

**The Acting Speaker:** The member, could you clarify? Have you withdrawn?

*Interjections.*

**Mr Mammoliti:** Madam Speaker, I've got to tell you that this speech, as I said, doesn't please me very much and I'll tell you very shortly, very quickly, why it doesn't please me. Not once in the hour that the member for Markham has spoken did he talk about the amount of work and jobs this will create.

He didn't talk about the amount of people who came out in front of the standing committee on general government—that's the committee that dealt with this—and who were repeatedly asked how they felt about this bill, Bill 17, and consistently, from construction workers and labourers, and even colleagues of his in the business community, after being asked, consistently told us that this will create literally thousands of jobs, immediate jobs, jobs that will, yes, after asked, help the economy and get the economy rolling as it should.

Not once did he mention that in his speech and for that reason, I am not happy with the speech. I hope that in his response he will talk about the thousands of jobs that Bill 17 provides for Ontarians.

**The Acting Speaker:** It would be very helpful if members could direct their comments through the Chair. In rotation, I recognize the member for Bruce.

**Mr Elston:** I would like to—

**Mr Anthony Perruzza (Downsview):** Point of order, Madam Speaker.

**The Acting Speaker:** Just a moment. A point of order, the member for Downsview.

**Mr Perruzza:** The point of order is this: I believe you go in rotation three times. I think you've heard three speakers, and now you give two minutes to the member to wrap up and I think you're giving one extra opportunity.

**The Acting Speaker:** I believe we are in order. The member for Bruce.

**Mr Elston:** Just a point that's of interest to me with respect to the remarks by the member for Markham, and that is with respect to his analysis of the Ataratiri program. I don't care to get into the issues about expense and all of the issues around disagreements

about whether it should have been done or not, but I do want to raise a particularly interesting concern from a public policy point of view.

The public policy that I think has been missed in all of this, while we examine the expense or alleged expense around the project, is the fact that we now know there are contaminated soils in that area, that as a result of the project not going on those soils remain, that a cost for cleanup that is associated with those soils remains outstanding, and it seems to me the environment has not been improved one iota once it was decided not to go forward with the project.

If this bill, which is designed to do certain things that the member for Markham doesn't agree with, which raises concerns in my own mind, allows something to be done when a discovery of contaminated soils like that of Ataratiri has come to the public attention, if they can go forward and make a cleanup as a result of just the public policy of eliminating an environmental problem, then perhaps some steps will have been taken in a positive fashion. Right now the way things are, nothing is being done with that particular problem and it remains as a problem.

**The Acting Speaker:** The member's time has expired. The member for Markham has two minutes to respond.

**Mr Cousens:** I'll start with comments in the reverse order. The weasel words from the member for Bruce are just the kind of thing that gets people upset about what goes on in the Ontario Legislature—

**Mr Mammoliti:** Point of order, Madam Chair.

**Mr Cousens:** Come on, sit down. Just take a powder.

**The Acting Speaker:** The member for Yorkview on a point of order.

**Mr Mammoliti:** "Weasel words."

**Mr Cousens:** The fact is, he said there's an alleged expense. There's a cost of cleanup and there's a cost of working out—

**The Acting Speaker:** Could you resume your seat.

*Interjections.*

**The Acting Speaker:** Order. The member for Yorkview on a point of order.

**Mr Mammoliti:** "Weasel words": Is that parliamentary, Madam Chair?

**Mr Perruzza:** Ask him to withdraw.

**Mr Mammoliti:** And ask him to withdraw, please.

**The Acting Speaker:** To the member, I would ask you not to be provocative. It would be helpful if you could use other words.

**Mr Cousens:** The first thing is that you call it an alleged expense. There's a huge expense that the Liberals incurred and the government has incurred around Ataratiri.



**Mr Perruzza:** Point of order.

**Mr Cousens:** What a waste of time you guys are up to. First of all, you don't know how many are going to speak and now you're interrupting in the short time we have.

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**The Acting Speaker:** The member for Downsview on a point of order.

**Mr Perruzza:** Madam Chair, I thought you stood in your place and you reprimanded the member for Markham for using the words "weasel words" in referring to a Liberal. Now, this is a Conservative referring to a Liberal as using "weasel words," and I believe—

**The Acting Speaker:** The member does not have a point of order. Will the member please take his seat.

**Mr Perruzza:** —my colleague the member for Yorkview asked that the comment be withdrawn. In fact, I believe you asked the member to withdraw but he hasn't withdrawn it, so I would ask that he withdraw that remark.

**The Acting Speaker:** Will the member please take his seat. We have dealt with that point of order. I would now give the member for Markham at least one minute to respond.

**Mr Cousens:** Okay, so there are costs and everybody is tired of politicians just constantly playing games and that is what you're doing in this House right now. You can't even face up to it and you're taking the time of the House. But that's your privilege as a member, so I respect that.

You did raise one point earlier about the 26,000 jobs. We're delighted to see the jobs, but you didn't have to create this legislation in order to create the 26,000 jobs through the speedy building of Highway 407. That could all be done through existing ministries and jobbing out of these things.

As for the member for York Mills, I think he touches on the real core point of this bill, and that has to do with the fact that the legislation isn't needed in the first place. The legislation is not required to build relationships with business and other sections; you can do this through existing ministries. The fact is that this government has not been building the bridges of friendship with other groups. You can't operate in isolation and that is the severe problem this government's all about.

The member for Oxford, I appreciate your remarks. The problem is that we want to see the government work more with the private sector and you can do it without having to create Bill 17. You don't have to do it this way; you can do it other ways. By the way, when you said Markham is Utopia, you're right. It is a great place to live and I'm glad to represent it.

**The Acting Speaker:** Thank you to the member, his time has expired.

**Mr Turnbull:** On a point of order, Madam Speaker: The government is not maintaining a quorum. This is a very important issue involving taxpayers' dollars.

**The Acting Speaker:** Would the Clerk please determine if a quorum is present.

**Clerk Assistant and Clerk of Committees:** A quorum is present, Speaker.

**The Acting Speaker:** Thank you. We will resume the debate on Bill 17. Are there any further members who wish to participate in the debate? I recognize the member for Bruce.

**Mr Elston:** I rise today to speak on this issue to raise some concerns about the type of activity that's going on, not to stop the process that has been under way now for some time under the auspices of what was formerly known as the Treasurer of Ontario. His name has been changed to protect him, I guess, for some reason. He's no longer Treasurer, he's the Minister of Finance. Since when did provinces have ministers of finance? This is starting to make us sound a little bit like some kind of a sovereign province, a little bit like Quebec.

It is very much a concern to me that we are now pretending to take on the trappings of a sovereign country. It isn't, in my view, appropriate that we act in a way different from what we are. We are an integral part of a Confederation and we don't have a finance minister in the manner that the federal organization has a finance minister. But here in this bill, there for all to see and sitting in the House generally on most days, is our Finance minister, which leads us to believe certain things are taking place which of course cannot be accomplished by the person occupying that chair.

Certain things are happening with respect to Bill 17, under which he has some authority and under which the current Finance minister is going to be able to delegate some of the jobs he used to do internally through his deputy minister.

It is a concern to me that what is taking place and what has taken place over the 13 years, roughly, that I've been in this House is that we have been slowly but surely delegating the work that used to be done under the auspices of the Legislative Assembly, the executive council and the Premier of this province to people who have no contact on a daily basis with the people's council chamber.

That bothers me a great deal, not because the people who will necessarily have to be appointed to the positions in those crown corporations are bad people, not because they have some evil desire to do something against the public interest, not because there is some conspiracy to steal away from the people their sovereignty, but just the fact that the people of the province have spoken, whether it was under Meech or under the Charlottetown accord vote or under the election of 1990 or currently under the election federally of 1993, about

wanting to be intimately involved in the decisions that have remarkable cost implications for them. Taxes are a very big issue for the people of this province.

We are all running around as members talking about holding forums so that the people can talk to us and so that we as their representatives can come back and influence what is actually taking place in this province. Well, the chances for a member in this House to come back here and actually influence what is going to happen is being eroded every time we turn around.

This is another piece of legislation that does that, because the people who are responsible, although set out here as being the Finance minister, as being the Transportation minister, as being the Minister of Environment and Energy, as being the ministers of Education or Health in various parts of this bill, really aren't going to be involved in the day-to-day workings of these organizations, which will make decisions that will deal specifically with the cost implications for our constituents.

I don't like that as a process. I don't like it from the standpoint, and it's a very parochial standpoint, as the member for Bruce.

I can't go to the people of my constituency and tell them that I will be able to take their case directly to the Legislative Assembly to influence the Minister of Finance or the Minister of Education or the Minister of Transportation as to the adequate or inadequate nature of our capital structures in the province. I won't be able to go, as we have traditionally gone, to the Minister of Environment and Energy, as he is now called, to tell him or her, at whatever point we may have gone to see that minister, that the people of Sauble Beach need to have clean water guaranteed and therefore we need to have that area serviced with sewers and water. I can't do that because the removal of the minister from the actual dealings on a day-to-day basis with the setting of priorities is quite clearly established by this particular piece of legislation.

It isn't, in my view, going to be any better than it was before. In that regard, I very much agree with the member for Markham. I agree with him that there will be very few improvements on the manner of distribution of the funds that will be used to redeploy the capital dollars throughout the province of Ontario. I very much agree with him that there will be days when we will want to stand in this House and accuse the government of the day of having no priorities whatsoever, and the reply will be, as it has been from various ministers as we talk about their crown corporate responsibilities: "That's an arm's-length transaction. I have nothing to do with it. Don't talk to me. It's a matter that's in front of an independent board."

When we're looking at the future of our province and the investment in the infrastructure of our province, I think the people's council chamber ought to have a

great deal to say about that, and more than just on one occasion a year as we take a look at the various estimates, or as the standing committee on agencies, boards and commissions goes over its analysis of what is taking place among the various agencies.

God knows that now the work that is up for those people to do is unfortunately so vast that they can choose only a handful of the over 850 crown corporations and agencies and boards and commissions which actually exist in this province. Some of those are so large that you could not possibly have a committee that would do a thorough analysis in one whole session's sittings. But here we are, adding four more corporations, or at least three new ones and continuing the Ontario Land Corp in a new format called the Ontario Realty Corp, so that the work of that standing committee, which is charged to monitor and review and carry on an analysis of the work of the crown corporations, agencies, boards and commissions in this province, will be just that much more difficult to complete.

I don't like the sense that the people's representatives can't bring their questions to this chamber and get an answer. I don't like the sense that the question of how much money is being put aside by each particular minister who is responsible—

**Mr Cousens:** On a point of order, Madam Speaker: In looking about the chamber, it would seem that there may be now but there has not been a quorum. Could you check to see if there is that? I think inasmuch as the member for Bruce is being complimentary to me, the least we can do is have a few people listen to him.

1630

**The Acting Speaker:** Would the clerk please determine if a quorum is present.

**Clerk Assistant and Clerk of Committees:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**The Acting Speaker:** A quorum is now present. Thank you. Would the member for Bruce resume.

**Mr Elston:** As I was going to be saying, we are doing so many things with our institutions these days where the people can actually have a say that this bill just adds to the controversy about whether or not we really mean what we're telling our constituents. As I said before, we go back and we say they must, through the grass roots, give us an expression of what they want us to talk about here and how they want us to solve the problems. While we go around talking about grass-roots involvement, we then pass legislation like Bill 17, which really means that the representatives of our constituents have less ability to get at the real state of affairs.

There is a whole series of other items which I think should be uncovered in this that leads me to have some concerns. I am not as upset about the nature of the



desire of the New Democratic Party government to get into joint ventures and to do other things in a new and interesting business relationship way, of trying to create new programs for redeploying capital dollars. I don't argue with having to update the way we do business in the province.

But I do argue with the way in which the organizations are being set up to do that. For instance, there was a great deal being made of the New Democratic Party government's reorganization of government. There was a wonderful series of press releases and public pronouncements by not only the member for Hamilton Mountain, the Chair of Management Board, and the Premier and the member who is now in charge of economic development in the cabinet; there was a whole series of things said about how few departments they were going to be actively pursuing, how few ministers they had. Of course, they reduced the number of ministers who actually sat and made decisions at the cabinet table, but the number of ministers stays the same and in fact there's one more now than there used to be because of the junior minister idea.

There was a great deal said about how reorganization was going to ensure that there was a flat-lining of the public service. Well, here is a real problem for me because, under this particular legislation, what we have done is created the equivalent of four new deputy ministers in the public service. You will see, if you take a look at the sections, that under the auspices of the ministers of Finance, Transportation, Environment and Energy and Management Board, there will be a series of four crown corporations created and, as a result of section 8, "The chief executive officer of a corporation has the powers of a deputy minister and the chair has the powers of a minister under the Public Service Act." What that really says is not just that they have those powers, but that they also have the ability to obtain the salary of deputy ministers.

In legislation, for the people who don't know the language, whenever we talk about some person occupying a position of authority, if it says, "If they occupy the position of authority as if they were a deputy minister," that's code for saying, "and these people will be paid as deputy ministers." They will be paid an equivalent salary; they will be paid the benefits; they will be given the benefits; they will be given the pension benefits and, in fact, under subsection 8(3), "The public service pension plan established under the Public Service Pension Act applies to the employees of the corporation." It is extremely interesting that section 8 really is code for, "We've set up a new government department."

But you know something? Interestingly enough, those people will not show up on the complement officially registered under the Chair of Management Board's report to the people of the province. There will be a

reduction of some, I'm told, 3,000 people, public servants, who will be transferred out of their current positions in Transportation, Energy and Environment, Management Board and Finance. Those people will find their way into these crown corporations, supplemented, I am sure, by significant outside assisted appointments.

I mean to say in that regard that there will be members of the board, I'm sure, who have interesting connections with the political intelligentsia of the NDP organizations. There will be people on the boards of directors—who, by the way, this bill says runs these corporations—who will come from the New Democratic Party faithful. I'm not sure how broad a group that is now. Perhaps it'll be fewer to enumerate as the months and days go on, but I'm sure there will be someone who will be found to lead these as chairs and as co-chairs and as board members.

So it's interesting to me that as we analyse what this bill does and we read between the lines, there is significant building up of the public expense, because no matter where you put these people, they've got to be paid. Their benefits must be paid. Their pension plan contributions must be made on behalf of their employer. And you know something? In the end, all of this comes back to us.

The provision in Bill 17 that guarantees it is that the Minister of Finance must make the money available to these crown corporations to allow them to do what they are to do. If they are to buy our jails and courthouses, if they are to take over sections of our highways and enter into some kind of venture programs with the private sector, the money must come from somewhere, and the money must come ultimately from the taxpayers, by way of borrowings, if necessary, and God knows that in this province our borrowing record over the last three years has been an extremely interesting one indeed. In the House, I think yesterday, there was some allegation made by a member of the opposition Conservatives that we are now the single largest-borrowing government in the world. I don't know that that's true, but in any event, he's made the allegation; I merely repeat it for effect.

The problem is that no matter how we deal with our assets, if the realty corporation, for instance, is to buy from the government of Ontario buildings now owned by the government of Ontario, it must get the money from someplace, and where does it come from? These organizations are to be funded from money that is given to them by the Minister of Finance. And do you know that the Minister of Finance basically has the final veto over what sort of financial arrangements are made by that organization?

It's extremely interesting that at the end of the day, the sole responsibility for control of all of these crown corporations will fall to the ministers in charge. They're enumerated under the sections in this bill. But the

responsibility for day-to-day management ultimately will be passed off in this place to that board chairman, to that chief executive officer, named as a deputy minister equivalent in this legislation, by the minister of the day. I think that is a sad day indeed, because the money that we will have borrowed under the auspices of the Minister of Finance to fund these activities will be somehow secreted off the ledger books.

And you know something? When the member for Scarborough-Agincourt stands in his place and is critical of the manner in which the Finance minister brings together his budgetary numbers and speculates about the inadequacy of his exposition on where his revenues are going to be coming from as he is critical of how the expenditures are enumerated, he will not now be able to talk about these crown corporation numbers, because those numbers fall off the books.

The issue for me is, why do we think we can get away with it? I hope in the end that the activities which are enumerated for the various crown corporations are not allowed to slip away from the totally consolidated revenue and expenditure plan for the province. No matter what is said, no matter how it is designed to be done, the effects of the work done by these crown corporations must be included in the full plan of the government of the day.

1640

I will be quite blunt about this. In some ways I am enamoured of the desire to try new forms of relationships between government and the private sector in coming up with the programs needed to put in infrastructure, I really am. But I'll tell you, I am interested in a different way in making sure that the people know that all these things are being done through the government. I'm not interested in trying to hide the results of these experiments. That, for me, is what has caused us so many problems in the past.

**Mr Chris Stockwell (Etobicoke West):** On a point of order, Mr Speaker: Considering that the member for Dufferin-Peel has brought some people from the Orangeville area and considering they're in this House at this time, I think we should have a quorum to hear the salient comments being made.

**The Deputy Speaker (Mr Gilles E. Morin):** I would ask the table to verify whether there is a quorum.

**Senior Clerk Assistant and Clerk of Journals:** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**The Deputy Speaker:** A quorum is now present. The member for Bruce.

**Mr Elston:** I may have to start at the beginning. In any event, my concerns are real, in the sense that I don't think anybody who is in public administration these days should try to hide anything from the people. The taxpayers are fed up. No matter how we deal with

it, the taxpayers are going to have to pay for some of the expenditures that are made even if we come up with new and novel ways of joint-venturing the installation of some of our capital infrastructure.

There are some other interesting things in this act that need to be highlighted for the people, and here's the reason I was concerned about our reports being part of the public record. Under section 17.3 it says, "Despite the Financial Administration Act"—this is an exemption from it—"the revenues and investments of a corporation do not form part of the consolidated revenue fund."

In other words, you will not, Minister of Finance, have to report to the people the results of your experimentation. You will not have to file, as part of your full year's explanation of your record of financial investments, the activities of these particular crown corporations. I don't like that. If we're going to do it, I think everything should be above the board and should be available for people to see.

It's interesting as well that section 18 under the act really contemplates not just these crown corporations but anticipates that there will be others. Section 18 says there will be such subsidiaries—I'm just paraphrasing to make it understandable—as the Minister of Finance agrees there will be. The crown corporations can go out and set up any other subsidiaries that any organization created by this statute warrants.

That, for me, says it all, that we will be dealing with a series of spiralling and increasing accretions to the number of crown corporations and subsidiaries to these organizations. For me that is a concern, because the more you create, the harder it is to manage and the more difficult it is to control.

Section 19 is interesting. It goes on to say, "A recital or declaration in any resolution of a corporation that a transaction is for the purpose of carrying out the corporation's objects is conclusive evidence" that that is so. It basically says that if the corporation says it is, then it must be, and nobody can question it. I am concerned by that.

I am concerned by section 21, which says the province is authorized to raise funds for the corporations. Not only is it authorized to raise funds; in fact, that is what must occur to have anything go on with these corporations at all.

I'm quickly running out of time, and there are several sections I want to highlight. It's particularly interesting for me that this statute goes all the way back to April 1, 1993, as it applies to the Ministry of Education and Training with respect to the grants that have been given. It says under subsection 33(1), "A payment for capital purposes, made by the Minister of Education and Training to a school board, that is charged to an appropriation of the Ministry of Education and Training made for the fiscal year commencing on the 1st day of April, 1993, shall be deemed to have been a loan from the



province to the school board if the payment was made in respect of one of the following..." and it enumerates, among other things, the capital grant plan of 1979. Of course, as everybody knows, particularly in our part of the country, those are the grants for building capital additions to schools and other things.

Basically, it means that those grants, up till now considered grants, are now going to be considered as loans. For me that is a bit of a problem, because the people who entered into the arrangements for the building of schools didn't always think about this as being loans.

**Mr Sutherland:** Tell the rest of the story.

**Mr Elston:** Oh, yes, there will be arrangements made for the repayments to be made. But you know something? It's going to cost us as a province the principal amount plus the interest. It is going to be an extremely expensive proposition; postponed, in some ways, to future years for others to pay off, but it will be an expense. It will be an expense which our children will not thank us for, in my view. In any event, let me say that they are changing the arrangements under which certain loans have been made to this point in time.

I'm very interested as well to indicate to you that under certain circumstances the Minister of Health now has an absolute veto with respect to the activities being carried on under the auspices of the Ministry of Community and Social Services. As long as those facilities under the Community and Social Services ministry are dealing with long-term care services, the Minister of Health will now be able to veto any of the activities that are ongoing.

Is that right? I don't think it necessarily is, because when I go and talk to the Minister of Community and Social Services about a problem with respect to one of those long-term facilities, that person is going to have to stand up and say, "I would have liked to do it, but the veto came down from the Minister of Health." The Minister of Health will say of course: "Well, my goodness me, that really was a recommendation to me from one of the capital corporations, and I'm not in a position to change it. It's just that it says in the act that I have some authority to deal with those issues."

In the last five or six minutes I have, I want to make a couple of other observations. The member for Markham had raised the issue of whether or not we are getting anything new, and the member for Oxford joined in a reply; he may speak later on. He basically said that things we're doing under this act could not be otherwise done, but if you go through and analyse the sections of the act which deal with the creation of these new capital corporations, you will notice that most of them are all referred back to particular existing provisions of government regulation and/or legislation.

For instance, under section 46, which deals with the

clean water organization, I think—sorry; it's actually part III under the Ontario Transportation Capital Corp. Section 46 says, "The approvals issued to the Ministry of Transportation pursuant to order in council 3426/92 that deal with class environmental assessments with respect to provincial highways apply to the corporation as if it were named in the approvals."

What it basically says is that these are just the successors in situation to the Ministry of Transportation, as is the case with the clean water agency, as is the case with the Ministry of Education. All of those carry on from where the organizations previously were. They take with them deputy-minister-status executive officers, take with them chairmen of boards and other things that existed previously.

For my money, it seems to me we ought to be very concerned that we find a way in this Legislative Assembly, in this people's council chamber, to bring these people back to us to account directly to us for their public activities. I repeat, I mean more than once a year when a cursory review is allowed of some of the estimates of some of the ministries. That for me is not acceptable.

1650

Something that I found very significant, by the way, when I was looking into this issue around the Ontario Transportation Capital Corp was subsection 47(4). Some of you will know—Mr Speaker, you will, because you will have heard us talking about this—we are concerned about the prospect of using photo evidence in trials for speeding convictions. It's the photo radar bill which is to be brought forward, I think, tomorrow in this House.

But here fully under section 47(4), hidden way back in the darker parts of the bill, someplace where most people never get to read, is a section that says that if you don't pay a toll—by the way, everybody knows that tolls will be charged under these things—all they've got to do is take a picture of your vehicle and you get to be convicted of an offence.

There are a couple of things you can raise as a defence to these, but the whole issue of photo surveillance as an issue in the province, to me, has not been dealt with. The whole legal ramification of that as evidence enough to convict a person of an offence, even a provincial offence, has not yet been fully and totally debated, and has not satisfied my curiosity as to how we make sure innocent people are not forced to pay big amounts of revenue for offences caused by other people. That can happen. People can borrow other people's cars and run the toll. Now a photo under this section is going to be sufficient, without that issue having been made carefully and most certainly clear in terms of its efficacy as a piece of public policy.

I'm concerned by that. I don't know that anybody else is concerned because it doesn't really deal with the essence of the bill, but it deals with the enforcement of

some of the provisions which until now, in my experience here, are brand-new. Tolls are brand-new for me. They were not new for my great-grandfather, for my grandfather.

They were used to them in the good old days when they were building new bridges over newly opened territory. For instance, at Riversdale there was, I believe, the first toll bridge in Bruce county, from the good old days. It was built in that manner because people knew they had to have a way of getting some money into that part of the country so they could open it up. I understand that. But the advent of tolls in 1993 is something brand-new for me. It is something that is not particularly—

**Mr Gordon Mills (Durham East):** Haven't you ever travelled down to Washington?

**Mr Elston:** No, this is Ontario. Mr Mills asked me if I've travelled in the United States to Washington. This is not the United States. This is Ontario. There are no toll roads here. There are tolls to get out of the country to go to the United States over the bridges; they are privately owned. It's something brand-new, though, to have a means of communication from my town to some other town in my province requiring me to pay a toll.

I understand what is now transpiring, because people want the user fee to dominate almost every piece of public policy discussion. I don't think that's necessarily a good idea.

I am concerned by the fact that this photo surveillance stuff has got in here, as a matter of course, without us fully deliberating on the issue when it should be debated under photo radar.

There are a couple of other sections which quickly I must just highlight for you. Do you know there is an interesting thing that requires the crown corporations to pay any surplus money they may have if the Finance minister directs them to do it?

Basically he can say: "If you've got a few extra dollars to make my balance sheet look better at the end of this fiscal year, you pay me, and pay me before March 31. By the way, if you pay me," wink, wink, nod, nod, nudge, nudge, "I will give it back in the form of a loan on April 15." That for me is something that can corrupt the manner in which our accounts are shown.

There are so many things I haven't touched on but I hope in the next couple of minutes or so, in reply, that I will be able to add some more comments.

**The Deputy Speaker:** Questions or comments?

**Mr Sutherland:** I'd like to respond to several of the issues the member for Bruce raised and I appreciate him referring to specific sections of the act that he has concerns about.

First of all, he expressed concerns about not having

direct accountability here in the Legislature in terms of the ministers, the ministers of Finance. He should be aware that many of the plans of these corporations—business plans, corporate plans and, more particularly, capital plans—will be approved by the treasury board before they are implemented. They will be approved by the treasury board, as other things are. He also needs to be aware that operating reports of the agencies will be reported in the public accounts reports, tabled and subjected to scrutiny.

He talked about things being secreted off. The member for Markham talked about trying to hide things. Everything here is very clear and up front and transparent. Legislation is coming here before—discussions have already occurred with investors or the people who loan us money. I disagree that people are trying to hide specific things.

Another thing he talked about is the average citizen not being able to see what's going on. He needs to be aware that the Provincial Auditor will be auditing the accounts and financial transactions, not only of the main corporations; the auditor can also be appointed as the auditor for the subsidiary corporations.

He also has expressed some concerns about some of the loans-based financing. Let me just say that most of the agencies or boards of education were aware and understood the process. There was nothing going on there.

The point of the matter is that we have an innovative process here, a process that allows us to get on with work much sooner, and we have a very strong accountability framework to the government, to the Legislature and to the people of Ontario.

**Mr Gerry Phillips (Scarborough-Agincourt):** I want to commend the member for Bruce's comments. He's absolutely dead on in terms of where this will lead in reporting to the Legislature. This is exactly like the Workers' Compensation Board. There is no question of that; it is set up exactly the same.

**Mr Sutherland:** No, it's not.

**Hon David S. Cooke (Minister of Education and Training):** It's not at all.

**Mr Phillips:** Anyone who believes it isn't has not come to grips with what a schedule 4 agency is. It's nonsense to think we will have the reporting any differently than from the Workers' Compensation Board. Anybody who paid any attention in the Legislature knows that when a question comes up about workers' compensation the minister says, "I'm sorry, this is an arm's-length, independent agency that makes those decisions and I'm not going to interfere in them." Make no mistake about it. The schedule 4 agencies are exactly that. We must not kid ourselves.

In terms of the debt they will incur, the biggest scam in this is where the province will now continue to spend



\$600 million a year on school capital, but guess what, folks? They're going to make the school boards go out and borrow the money. They're going to make sure the school boards have \$600 million a year of debt on their books, but they're going to say to the school boards: "Don't raise any fuss about this. Whomever you borrow the money from, tell them the province will commit to pay the principal and interest on it. So don't tell anybody."

I will tell everybody out there that the province is borrowing \$600 million. They're making the school boards put it on their books and they're going to attempt to hide the debt. But people aren't that foolish. They'll find out about it. Make no mistake: That's what this bill is all about.

**Mr Stockwell:** It's a con.

**Mr Sutherland:** It's a contract.

**Mr Stockwell:** It's a con.

**The Deputy Speaker:** The member for Etobicoke West, the member for Oxford, there is a period which we call questions and comments. You have two minutes to express your opinions. Take advantage of it.

**Mr Turnbull:** I listened very attentively as the member for Bruce made his comments, and indeed he made some very important contributions to this debate. He spoke about the question of hiding debt and the auditor's concern with this. We hear from the amount of excitement that we stir up across the floor that the government seems to want to orphan that part of it. But the auditor very clearly indicated that he was dissatisfied with the books of this province because they have been shuffling debt around so that it doesn't show in the fiscal year.

1700

The member spoke about the horror of photo surveillance on toll roads. This is the worst horror you can ever imagine: that this government is engaging in the Big Brother campaign.

The member also spoke about the question of the auditor's concerns with the accountability of this agency, but at the end of the day I'm a little confused because I understand the Liberals are going to vote with the government on this bill. This is one of the problems Conservatives have. We take a very clear position and we stick with it and try to offer constructive solutions, but the Liberals are simply saying, "This is terrible; we don't agree with it."

We've heard an excellent presentation on why one shouldn't vote with the government on it. Notwithstanding—and perhaps the member for Bruce could enlighten me on this. Maybe I'm incorrect, but I understand you are going to vote with the government on this. Perhaps you could spend a little time in your reply addressing that: after all of the concerns you've expressed, how you can possibly vote for this legislation.

**Mr Mammoliti:** I want to bring this home a little for the member for Bruce, and I want to extend a challenge to him if he wants to take it. That challenge would include his coming up to Yorkview.

Our two ridings are not similar in any way. I would think that if Mr Elston wouldn't mind taking up the challenge and come up to Yorkview and talk to one of a thousand construction workers who are literally sitting by a phone waiting for their bosses to phone to give them a job—during the speech of the member for Bruce I didn't hear at all about the thousands of jobs that Bill 17 would create. For me, it's very upsetting. For the member for Yorkview—that's me—it's very upsetting to know that the member for Bruce doesn't want to talk to that person who is sitting by a phone waiting for his foreman to phone him and invite him out to a job.

If the member for Bruce was sitting in committee, he would know that almost everybody who came in front of that committee is in favour of this bill and is in favour of it the way it is. Why? Because it provides for immediate jobs, jobs that the member for Bruce has not mentioned.

The Liberals and the Conservatives today have been very consistent in terms of their message, and that is, hide behind the message around jobs; talk about everything else except the thousands of jobs that Bill 17 is going to create.

**Mr Elston:** For whom?

**Mr Mammoliti:** For whom, you ask, the member for Bruce? That individual who is sitting by a phone waiting for a call from his boss to go back to the construction site and to start working.

**The Deputy Speaker:** Time has expired. The member for Bruce, you have two minutes.

**Mr Elston:** I have nothing against public works. In fact, the real truth in this particular bill is that it won't create one new job. It won't allow one new job—

**Mr Mammoliti:** That's not true.

**The Deputy Speaker:** The member for Yorkview, you had your turn.

**Mr Elston:** —one new piece of capital construction anyplace in this province to be undertaken that couldn't have been funded in one program or another under the auspices of some initiatives by the various ministries. That, for sure, is the way it is.

They have built sewer works, they have built waterworks, they have built highways, they have built bridges, they have built schools, they have built hospitals under the various capital programs that have existed to this very day. Now, if somebody wants to do it a different way, that's fine, but to pass this piece of legislation is not creating any new jobs in Ontario. It will not say one more bridge should be built, because all the bridges to be built have been there to be built for eons. Anything that hasn't been built yesterday wasn't

built because you didn't fund it out of your consolidated revenue fund. This thing only allows you new ventures; it doesn't create new jobs.

I'm in favour of jobs. I'm happy to see construction workers going back to work. I would be happy to see economic activity in this province that would allow various investors to do more in this province, not just public works. But for the member for Yorkview to say that this bill will create thousands of new jobs is a pure fabrication, because the work is there to be done; the problem is the money.

I want to raise another issue which I wasn't really able to do. Under section 57 in the clean water act, there has been an existing problem under Ministry of Environment and Energy assessments for waterworks in Ontario. The various municipalities, particularly small municipalities, are concerned about being billed for part of the operating expenses of the ministry that deal with assessments for waterworks operation. They don't think it's part of their activities, and they don't want to pay it. Section 57 actually allows the ministry to keep computing those costs and billing them out. That is an error.

**The Deputy Speaker:** Your time has expired. The member for Etobicoke West.

**Mr Stockwell:** This bill we're dealing with today is—

*Interjections.*

**The Deputy Speaker:** The member for Etobicoke West has the floor.

**Mr Stockwell:** This situation we're dealing with here has nothing to do with the title of the piece of legislation, An Act to provide for the Capital Investment Plan of the Government of Ontario and for certain other matters related to financial administration. That is misleading.

What we have before us today is a program in which the government chooses to build and fund certain infrastructure capital improvements by a different process. That's it. It's that short and that simple.

The arguments that were made before are simply—

**Hon Mr Cooke:** Everything is simple to Chris.

**Mr Stockwell:** I see the member from Windsor's making that uncomplimentary suggestion. What I'm trying to point out to the member from Windsor and others is, this piece of legislation is very transparent. It's very obvious what you're trying to do.

What is being done is we have built bridges and we've built roads and we've built sewers in this province for the last 100 years, and we've done so under a process of capital improvements, a consolidated revenue account, and they get built.

That's what every piece of legislation in this place has been surrounded around when it comes to capital improvements. That's how we built highways, that's how we built bridges and that's how we built roads.

**Hon Richard Allen (Minister without Portfolio in Economic Development and Trade):** How did we build the colleges?

**Mr Stockwell:** How we built the colleges is in a similar vein.

**Hon Mr Allen:** No, it wasn't.

**Hon Mr Cooke:** Don't listen.

**Mr Stockwell:** If they'll allow me to finish, I'll deal with the college issue.

**The Deputy Speaker:** Order. The member for Etobicoke West, if you address the Chair perhaps you won't attract as many comments.

**Mr Stockwell:** I'll do my best to address the Chair.

What this government is caught between is the problem that it deals with the International Monetary Fund, the taxpayers and itself, and they're caught in a very difficult situation. They know full well that they're on credit watch, and if anyone read the Globe and Mail article that was in the Globe and Mail on Monday, October 18, Peter Cook, it tells you exactly the situation that this government is in.

He cites a report that wasn't done by any partisan political group, wasn't even done by anybody in this country. He cites a report that was done overseas in Europe with respect to borrowers and lenders. Do you realize—and this is where this government is caught—that this government we are looking at today is the fourth-highest borrower in the world? The only governments or agencies that in fact top them on this list would be Sweden, the European Investment Bank and one other, and I have lost the place, but Ontario is fourth, and in fact when it comes to borrowing, last year alone they went to the market for US\$8.6 billion.

This government is caught in a very difficult situation, and the deficit has become one of the most important debates and issues surrounding this election and maybe for the last year and a half. So this government now must establish with the world currency markets and the traders and the bond agencies a certain degree of fiscal responsibility. That's what the social contract was all about. They said the social contract will be a three-legged stool, as I recall; I think they got everything right except the three legs. They went for \$2 billion in new taxes and they went for \$2 billion in reductions and \$2 billion elsewhere.

1710

The point that needs to be made is that this legislation is being instituted to fool the taxpayer. Ask yourself, what if they wanted to build a bridge in Etobicoke or a road in Huron or a bridge in Grey or even in the member for Oxford's riding? They seem to have been able to do that for the last hundred years. Why is it we need these crown corporations?

In the 1993 budget brought forward by the Treasurer of Ontario for 1993-94, it says on page 3—anybody



who has a budget, look on page 3—"excluding sovereign countries, Ontario has become the largest borrower in the world." You move on to the graphs. I think it's page 100; it's been a while since I flipped through it. They say, without debate, that these crown corporations—they themselves have said it—are going to borrow up to \$800 million. Of that \$800 million these four agencies are going to borrow, not one nickel is shown on their books—not one nickel. Why do they not show the nickel or the \$800 million? Because they're trying to convince the taxpayers in this province that the debt is \$9.2 billion, not \$10 billion, which it truly is.

**Hon Mr Cooke:** Even though it is written right in the budget? It is written right in the budget.

**Hon Evelyn Gigantes (Minister of Housing):** Oh, come on.

**Mr Stockwell:** They suggest it's in the budget. When you read the budget book—and I'm sure the Minister of Housing has not; otherwise, she wouldn't be cackling over there. If she had read the budget book, the Treasurer himself has told the taxpayers in this province his deficit projection is \$9.2 billion, thoroughly excluding the \$800 million it takes to set up these crown corporations. If you don't think that's deceitful, then I don't think you understand the term. That is trying to kid the folks into believing that the taxpayers' \$9.2-billion deficit is truly that and not \$10 billion.

The question stands. I ask these members here, why is it you state that the deficit is \$9.2 billion, yet today you stand in your place and tell us it will be consolidated and reported? Why was it not reported in your own budget documents? Why? Because you're kidding the folks.

**Interjection:** They don't care.

**Mr Stockwell:** The fact is, they don't care. They look at you and tell you you're wrong when it's their own budget documents you're using to ask the questions. If I am wrong, why did the Treasurer say the \$800 million will not be shown as consolidated debt? Why? Because they're kidding the people.

I look directly at the Minister of Education and say he's complicit in this. He's complicit in this trickery, this jiggery-pokery, because he has done a very similar thing with the school boards, and I know the school boards are offended. They are very offended. Granted, they agree and they're going to do it. What choice do they have?

I look at the Minister of Education directly. You're now telling the school boards that for capital improvements for schools, they should go out and borrow the money and you'll guarantee the loan. Why are you doing that, Mr Cooke? Why is Mr Cooke doing that? Because he's going to move \$600 million of debt off the provincial books to the school boards, guarantee the loan and never tell the taxpayers that he's accruing \$600 million of debt per year for the next who knows how long.

Let's add up the numbers now. We have a \$9.2-billion admitted deficit. We have a new \$800-million deficit in these crown corps. We have \$600 million they're guaranteeing to school boards. What does that make the debt? Well, \$9.2 billion and \$800 million is \$10 billion, so it's \$10.6 billion. They're making it \$10.6 billion.

**Hon Mr Cooke:** We are not doing school capital this year, so I don't know where you are getting the \$600 million from.

**Mr Stockwell:** The Minister of Education has now suggested to me that they're not doing any capital improvements in their schools. You should have a meeting with your Treasurer, Mr Minister of Education, because he's not saying the same thing, that you're not going to go out and do those capital improvements.

**Mr Phillips:** Not doing the capital?

**Mr Stockwell:** Well, he says they're not doing it. Frankly, we've got Mr Treasurer saying one thing, we've got the Minister of Education saying another, and all they're doing is trying to contrive a story to attempt to fool the taxpayers.

We have now got a deficit of \$10.6 billion. The Treasurer, not more than two or three weeks ago, came out and said, "Revenues are seriously down and the deficit may climb \$500 million to \$1 billion." Is the deficit \$10.6 billion now? We can only assume it'll be \$11 billion to \$11.5 billion.

**Mr Sutherland:** That is, if nothing was done.

**Mr Stockwell:** Nothing will be done. Nothing will be done.

*Interjections.*

**Mr Stockwell:** This is a very interesting argument. We have the Minister of Education—I'll paraphrase this argument—claiming they're not going to do any capital work projects in education this year. That's what he said. He said they're not going to do capital works, so the stuff we had in the budget is just fantasy because they haven't made the announcement. His exact words were, "It doesn't take a genius to figure this out, because we haven't announced any capital works." Maybe they'll save \$600 million because they're not going to do any capital works in education.

This is the point exactly. You can't get a straight answer from these people. You can't get an honest answer from these people. They put \$600 million in the budget and then they start answering your questions with questions. Are they going to spend it or not? If they are going to spend it, they're going to go the route of asking the school boards to get a loan, and they'll guarantee the loan and move \$600 million off-book.

It's the height of arrogance to suggest that the opposition doesn't understand or doesn't know what we're talking about, when it's nothing but trickery, nothing but smoke and mirrors. For goodness' sake,

after what the auditor said about you people last week, you'd think you'd try and come clean for once in your life. But no, you've got to defer a \$528-million teacher pension contribution to the following year and force the auditor to call you a bunch of fudgers when it comes to finances.

**Mr Sutherland:** He did not.

**Mr Stockwell:** Oh, he said it. He said it. If you read his report, he said it.

**Mr Phillips:** That's \$5 million down the drain.

**Mr Stockwell:** You just gave away \$5 million because you deferred a contribution to the teachers' pension fund by 31 days so you could get out of that fiscal year and not show it on your debt. It's that simple, and it cost us \$5 million so you could do that. That is an unbelievable waste of taxpayers' money.

**Hon Mr Cooke:** We would have had to borrow the money anyway.

**Mr Stockwell:** The Minister of Education doesn't even understand that either. He says we'll have to borrow the money anyway. You paid a premium to defer it, Mr Minister, a premium to defer that for 91 days, because the teachers said they wouldn't do it unless you topped up the interest rate. That's what I mean. They don't get the facts straight, and then they tell you that you don't know what you're talking about.

We are faced with a piece of legislation that doesn't build one bridge more than was being built, doesn't build one road more than was being built.

The other point that needs to be made here is that they're only fooling the people to the tune of \$800 million this year. Next year, it's \$1.2 billion. The year after that, it's \$1.8 billion that they're moving off the books. When you add the totals up, it comes to nearly \$4 billion in three years that you're moving off-book so you don't have to stand up and defend your decisions to the people who matter the most, the taxpayers. Shame on you.

If you think these projects are important, if you think these programs should be done, then have the guts to stand up and defend the spending. That's all I ask. There may be a debate about whether or not we need it. There may be a debate about whether or not it's important. But have the guts to show it in your collective consolidated debt. Until you have the guts to show it in your collective consolidated debt, I don't want to hear about it because you're trying to kid the folks.

1720

I wanted to make a point. You may be kidding the taxpayers but you're kidding nobody else. You're not kidding me and I doubt very much if you're kidding anybody on this side of the House. The most important thing is that you're not kidding the people who lend the money, the bond-rating agencies, because they put you on credit watch.

**Mr Sutherland:** No one is trying to.

**Mr Stockwell:** I hear the member for Oxford saying, "Nobody's trying to." Then why is it not showing—

**Mr Sutherland:** We've sat with them; we've talked with them.

**Mr Stockwell:** Of course, you're talking to those people because they'll see through this like a pane of glass. They're going to see through it. It's John and Jane Doe, average taxpayers, who won't take the time to sit down and review your budget and won't have the capacity to spend a lot of time to figure out your jiggery-pokery. That's who they're trying to kid and they know that's who they're trying to kid.

Those world bond-rating agencies have put you on credit watch. Why? Because they see through this piece of legislation, they see through your deferral of the teachers' pension fund contributions, they see through your school boards commitment to capital projects, and they say, "You people are trying to kid us and the taxpayers."

The most insulting part about it all is that they get members to stand in their place who have bought the party line hook, line and sinker and spout out the first thing they were told to do: "Don't let them get to you. We'll just keep this charade up. We'll just keep kidding the troops and maybe if we say it long enough and maybe if we say it loud enough, somebody will believe us." That's the only thing you're trying to do.

The next thing they're going to do is this: and again, it's just so transparent, it's insulting; it's absolutely insulting, it is so transparent. Let me tell you the next thing they're going to do. When it rolls around to the next election, they're going to move a considerable number of people on the payroll of the province of Ontario off into these crown corporations.

You're going to say: "Why will they do that? Why will they move them off-book, these people?" I'll tell you why. They're going to move thousands of employees off the government payroll and put them in the crown corporations and then Robert K. Rae, QC, if he's still here, will stand up in the debate and say, "We've reduced the public payroll by this much," and you haven't reduced anything; you just moved them from here to here. The taxpayers are going to say: "Gee, that makes a lot of sense. Maybe Robert K. Rae is right." All you're doing is trying to kid the folks into thinking you moved the payroll.

But you know what, Mr Speaker, for 25 years the people of this province and this country have lived with this kind of foolishness. They've lived with this kind of foolish financial work, this foolish manipulation of the books, this foolishness to make them believe—and I say this; it's my party: For Kim Campbell to stand there in the middle of a debate and claim she doesn't know what the deficit is is insulting to the taxpayers of this country.



It's just as insulting for you people to sit here answering your letters and reading your reports and not as backbenchers and not as cabinet ministers—you people should know better. You people should understand this, and stand up and say, "No, I will not be party to trying to trick the taxpayers into thinking we're financial managers who know what to do with your tax dollars." You should be more ashamed than anyone else because you people would know this. You of all people should know this. But they are not doing it. So it makes you no better than any other government in the last 25 years that tried to fool the folks with these kind of decisions.

I don't let the Conservatives off the hook. The provincial Conservatives started this preflow stuff and they were at fault. That was wrong, just wrong, the preflows that they allowed to come into the budget and offset that year. The Liberals were wrong when they allowed the same thing to happen on preflows. They were wrong. That's not the way accountants should do the books.

But you know, you've taken it to an art form, folks. Not only have you done the same thing with preflows, not only have you deferred the pension contributions to the teachers' fund that cost the taxpayers \$5 million—for nothing; they got nothing for \$5 million.

Young people are sleeping on the streets, and mothers and single parents are looking for day care. Do you know how many people are dying to get into colleges? Do you know how many people are looking for shelter? You fritter \$5 million away for nothing, just to make yourself look good. Talk about a shameful act. There's no excuse. It's absolutely disgraceful that you people would fritter away \$5 million in hard-earned tax dollars because it would make you look good. That's it. That's disgraceful.

These people who need these kinds of things saw that money wasted, but nobody understood it because it was a complicated process. Nobody understood that you owed the money on January 1, and nobody understood that you deferred the payment from January 1 to April 1, and nobody understood that you paid the teachers' pension fund a premium on the money borrowed so you could do that, because you didn't want to show the debt on that year's books, because you were embarrassed about how much it was, and it cost you \$5 million to move it 91 days.

How many people today could use \$5 million? How many communities could that help? How many housing projects could that develop? How many day care centres could that open? How many food banks would that continue, for \$5 million? You should be ashamed of yourselves for ever letting that happen, absolutely ashamed of yourselves.

**Mr Murdoch:** It isn't funny. They're laughing.

**Mr Stockwell:** It's not funny. Do you know what it

is? It's beyond funny. It's sick. It's absolutely sick. It makes me sick to my stomach to think that \$5 million in taxpayers' dollars so needed today would be used to buy you a new suit, and that's what it comes down to. To make you look good to the public is all it was used for. It's not funny; it's sickening, absolutely sickening.

That's the way I chalk this thing up to some degree. It doesn't sicken me like that does, but it does make me feel that sometimes the caucus over there and the backbenchers and the cabinet ministers simply get a piece of legislation and, without thinking, without reading, without using the head that God gave you, simply hold their hand up and say, "This must be right; I was told it was." Because you're just kidding the people.

I heard some words used earlier, like "deceitful," "fraudulent" and so on and so forth. Let me tell you this: If you were trading on the Toronto Stock Market—and I say this very carefully, Mr Speaker—and you were reporting out to your shareholders on your consolidated debt and you omitted \$800 million of your consolidated debt, I think you could be charged for fraud. I don't think an accountant would have signed your report, because that isn't legal.

You just spent a great deal of time last week telling private sector companies that they must make their books cleaner and that they must report out certain aspects of their business more appropriately. You lot here have the nerve to tell anybody they have to do that when you're skulking around moving \$800 million here, \$600 million to the boards of education, calling your debt \$9.2 billion when in fact it sits at \$10.6 billion. Have you no shame? Doesn't that strike you as a terrible, terrible double standard to impose on the private sector when you can't even live up to your own positions that you've argued? That's what I'm asking: Doesn't that seem like a double standard? Doesn't that sound like, "Do as I say but not as I do?"

I don't have any difficulty at all voting against this piece of legislation. I don't know where the Liberals are coming from and frankly I don't care. If they want to support this, so be it. I care about where the government comes from, because I think it's wrong to do this and try to trick the taxpayer.

The final point I'd like to make: I don't really want to get involved in the debate about the bridges and roads and so on. That is a red herring, an absolute red herring.

**Mr Mammoliti:** Of course, you don't. You don't want to talk about jobs. You don't want to talk about employment.

**Mr Stockwell:** I know the member for Yorkview is suggesting I don't want to get into it. He's suggesting I don't want to talk about employment. I'm prepared to talk about employment, I'm prepared to talk about job creation programs and I'm prepared to talk about these

job creation programs under a different light, under the light of let's debate it, let's discuss it and let's determine if it's worth spending, because they've been spent over the years. But don't try to convince me that you need to start four crown corporations to build roads and sewers and bridges, because you're not debating it under that light. You're simply using this as a guise to move debt off your books and pretend you know what you're doing.

1730

Finally, I would like to come back to one other point. The last point is, I long since lost my respect for the NDP, and I came here with some respect for that party. I did. I sat with members of council who belonged to the NDP who I felt had a true, principled position that they offered to various and sundry debates and elections, and I did.

What I particularly find offensive about this piece of legislation is this: I would love to debate the merits of government programs and government works programs, much like the Liberal government's much-vaunted federal plan to restart the economy. I think that's a waste of money. I think when you spend \$2 billion in a \$700-billion economy, much like Preston Manning said, you're trying to start a 747 with a flashlight battery. That's true.

But I'd be willing to debate this with you people, and I'd be willing to discuss this with you people, and I'd be willing to talk about the 407. I think those are the kinds of things that need to be discussed. But I am not prepared to talk about it when you're trying to kid the taxpayers into believing this is something it isn't. That's the breakdown. Until you deal with this—

**Mr Mammoliti:** It all relates to paycheques, my friend.

**The Acting Speaker (Mr Noble Villeneuve):** Order, please.

**Mr Stockwell:** The member for Yorkview is suggesting it all relates to paycheques, and I believe that. I think people need work and I think they need gainful employment out there. But this is just trickery. This is foolhearted trickery.

What really astounds me is that the Minister of Education can make the comments he made in this House and have no idea of what he's talking about. The other thing that astounds me is that the member for Yorkview can reduce this debate to a debate about jobs when it's not about jobs. It was never about jobs. It's about moving money off the debt book.

The member for Oxford can stand up and try to claim that this will be reported out in the consolidated debt when you didn't do it in your own budget. You've got your own documented budget saying you're wrong when you could have the Treasurer stand before us and tell us he's going to spend \$600 million on capital

improvements to schools, then tell the school boards to go borrow the money and, "Don't show it on our books."

This is so transparent, I say again. It is so transparent and absolutely so honestly awful that they think that nobody can understand what they're trying to do.

So in conclusion, the final point I'd like to make is, come next election, I would like the people of this province in the next election, in any all-candidates' meeting they go to, in any area in the province, in any meeting at the door with an NDP candidate, to ask the candidate, when they talk about what the deficit is that year and what the debt is, whether they included the four crown corporations in the consolidated debt.

I will bet you \$100 as we stand here today this government is going to go out to the people and not tell them about the consolidated debt that it has accrued in the four crown corporations. I'll bet you another \$100 that this government is going to claim to have reduced the payroll by the number of people who are being moved off the Ontario payroll and put on to the four crown corporations.

I will bet you that, because that is the prime motive for this piece of legislation. It has nothing to do with bridges; it has nothing to do with roads; it has nothing to do with sewers. This has everything to do with pretending their debt is less, which is pretending their deficit is less and pretending their payroll is less. The only people they're not kidding are the opposition in this party and the bond agencies around the world, which are telling you you're on credit watch and you're going to be downgraded because you have absolutely no control of spending and finances in this province.

I will stand corrected if they include the debt from these four crown corporations in their next budget on the consolidated amount. I will stand corrected and will apologize. But I know full well that you will not do it, because you're trying to kid the troops.

**The Acting Speaker:** Questions or comments?

**Mr Sutherland:** The member for Etobicoke West did talk about the province is facing financial difficulties. No one disagrees with that. But it's in that light that the government is approaching a more innovative and more creative way of how to finance capital projects in terms of working with the private sector, in terms of being able to go into joint venture partnerships.

The member for Etobicoke West said this has nothing to do with jobs. It does have to do with jobs, because the reality is, if we are able to find new, innovative ways of financing capital projects so that those projects can occur sooner, then people are going to get back to work sooner, and that's going to have a positive effect on the economy and create other types of employment out there.

It has a lot to do with jobs. The member for



Etobicoke West is constantly trying to pick up on the comments of the member for Markham that somehow this is a hidden process. It's all very open. It's all a very open process. People can understand what is going on.

The point of what we're trying to do—as the third party has constantly suggested, “Look, you need to work with the private sector.” This is going to allow us to work with the private sector in ways that we haven't been able to do. The corporations will be able to enter into longer-term commitments, without having to receive the approvals from treasury board after the board has given its initial approval for a capital project. To enter in these types of longer-term commitments, or joint ventures, this fiscal aspect is critical, to ensure that there's a longer-term financial commitment there.

To me, this seems like a good thing. Many people have asked us to do it; the third party has. Somehow they don't see the benefits, that we can get people back to work more quickly and that we can do some of the work many municipalities have asked for for a long time.

**Mr Phillips:** I appreciate the member for Etobicoke West raising several issues that I'm not sure have been highlighted as much as they should be.

The point he makes on what are called preflows: There is no doubt that the way the province reports its finances gives a totally distorted view of the finances of the province. Now, the government's doing nothing illegal. As the member points out, the Conservative Party did it when it was in power, the Liberal Party did it when it was in power, but it's being taken to new extremes. I say unequivocally, as the member for Etobicoke West said, it was wrong then—it was wrong when they did it, it was wrong when we did it—and it is clearly taken to new heights in this piece of legislation. It clearly has to change, and that's what the Provincial Auditor is all about.

As the member for Etobicoke West said, if this were a private company, there is no auditor in the province who could sign off on the books of the province. They do not reflect the reality of the finances of the province. They're wrong. That's our concern about Bill 17. As the members know, in our opinion there's some merit in the bill, but the member has highlighted the problems in the bill.

I would also say he is absolutely right when he says, “In my opinion, Premier Rae told the Treasurer, the Minister of Finance, ‘You must keep the deficit under \$10 billion.’” That's why there was a delay in a required pension payment from last fiscal year to this fiscal year, and that cost \$5 million. We paid 11¼% interest on that when we could have borrowed the money at 7½%. It cost \$5 million. That went right down the drain, for nothing other than allowing Bob Rae to report a deficit under \$10 billion. He's right.

**Mr Turnbull:** There are two key issues that my colleagues spoke about. One of them is the challenge to the government that the debt and the staff that will be moved to these schedule 4 crown agencies from the government will be shown by the government as being part of the contingent liabilities of this government, part of the debt, and that the staff they move are still a part of the civil service. He has issued that challenge. He issued it in his usual very colourful way, offering to bet anybody \$100. I certainly wouldn't take that bet against him because I believe that is the motivation of the government.

This has been claimed by several members in debate so far. I have not heard one member of the government get up and try to refute that. They've talked about everything else, but they have not refuted that. We want an unequivocal commitment from the government that it won't try that.

1740

Further, we've heard a lot of discussion about the creation of jobs. We have heard no evidence from the government that counters what we're saying, that you don't need these corporations to create these financial structures.

**Mr Sutherland:** I just gave you that answer.

**Mr Turnbull:** With all respect, you didn't. The trouble is that they're not listening to the fact that these corporations do not need this financial structure, this corporate structure, in order to do joint ventures with the government. It has been refuted over and over again, and the government has failed to offer any outside evidence to the contrary that my colleague is correct. We hear all of the rhetoric from the government, but there's no concrete evidence.

**The Acting Speaker:** Thank you. We can accommodate one final participant.

**Mr Hope:** I've listened to the member and his comments. He talks about the perspective of the taxpayer. When we talk about clean water agencies, a lot of my communities are recipients of some of the moneys that are there. You talk about accountability to taxpayers. Well, talk to the taxpayers in the Mitchell's Bay area, who are now going to have potable drinking water in their community. Talk to the people in Paincourt, a rural community.

I notice the member from Etobicoke speaks from the metropolitan area with superroads and superwaterways and sewer systems, but he forgets about those communities that have been neglected for years by other governments. This is an opportunity to look at innovative ways of maybe including the private sector in some of our communities with rural perspectives. When you talk about accountability to the taxpayers, also keep accountability to that perspective.

I notice you talked about those companies on the

stock exchange. I want to know how many companies out there that are not currently registered on the stock exchange have four or five numbers on one property. I'm talking about numbered companies on one property: one property, one manufacturing base, but four or five different numbered companies to avoid issues.

**Mr Turnbull:** That's what private companies are, Randy.

**Mr Hope:** Let's look at it. You mentioned companies being on the stock exchange and being called for fraud. Let's put it in a little better perspective here. I see your consultant is advising you on what to say, but it's important that you understand about corporations that have several numbered companies: different names, different boards of directors, but the same individuals altogether.

When you talk about accountability to taxpayers, a lot of these programs around the clean water agencies are being accountable to our taxpayers. We're looking at financing over a longer period of time, which helps reduce the water rates and sewage rates. These communities say these are important projects to them. The ones we need to be accountable to, instead of the theatrics that go on in here, are our taxpayers in our communities who are looking for these initiatives.

**The Acting Speaker:** This completes questions and/or comments. The honourable member for Etobicoke West has two minutes in response.

**Mr Stockwell:** I don't know how the member for Chatham-Kent thinks all these things have been done in the last 100 years. We didn't have these four crown corporations.

Quickly, with respect to numbered companies, they're privately held as opposed to publicly traded. Privately held companies can report their functions any way they want as long as it's within the parameters of the law. Publicly traded companies are under more stringent control, much like a government should be.

As to your clean water and superroads, we've had a lot of clean water delivered in the last 100 years and a lot of superroads built. I don't know how we did it if we didn't have these four crown corporations.

As to the improvements to Highway 407 etc, there's nothing that says you have to create a crown corporation, that you can't enter into private agreements now. You enter into private agreements as a government every day of the week. That is simply a red herring to try and confuse the public.

I thank the member for York Mills. I thank the member for Scarborough-Agincourt.

The member for Oxford—I don't see him right now; maybe he'll come back in—suggests that we have to do this and the biggest reason is so we don't have to go back to treasury board to get approvals. Thanks very much, but I think that's a great check in the checks and

balances: to go back to treasury board. I think that's an important thing that you should continue. If that is an argument about why these four crown corps should be struck, that's an argument on the opposite side of what you want to put forth. The last thing I would do with you as a group is allow you to do what you wanted in terms of capital improvement expenditures without checks being brought forward by treasury board and the auditor and consolidated debt. If that's your best example, that's a rather hopeless case.

Finally, to the taxpayers out there, you are being buffaloeed, you are being kidded, you are being tricked and you are being used as some kind of dupe if you believe Bill 17 is anything more than typical socialist pap intent on extracting more money out of you and not telling you about it.

**The Acting Speaker:** Further debate on third reading of Bill 17?

**Mr David Tilson (Dufferin-Peel):** It's a pleasure to rise on third reading with respect to this bill called the Capital Investment Plan Act, which, as has been said by several members in this place before, really doesn't explain what this bill is all about. In fact, the whole issue brings me to recall an incident this summer when I was walking on the street of a municipality in my riding and I was approached by a constituent who indicated to me, "What is all this about, about the government selling jails and hospitals and courthouses to itself?" I must say, I shrugged my shoulders as much as he did. It really didn't make sense, why the government is proceeding by selling everything it owns to itself; in other words, moving everything out of the right pocket into the left pocket, to use a play on words. It is a strange procedure. You do ask the questions on this bill: Why are we doing it? Why is it being done?

Well, jobs have been mentioned. I, for the life of me, do not understand that rationale and I look forward to more rationale from the government. With due respect, it hasn't really been explained to me why we're doing this specific bill.

The words that have come out in this debate—"buffaloeed," "trickery," "fraud," "deceit," "double standard," all of those words—certainly adequately describe what this bill is trying to do. There's no question. It's as if this bill is going to create more money, and it's not going to create more money. Yes, it means that the hospitals and the municipalities and the school boards are going to have to use credit to raise more money, in that respect. In other words, the taxpayer, the person we're trying to represent in this place, is going to get dinged once again, because what you're doing—

**Hon Mr Cooke:** That's dead wrong and you know it.

**Mr Tilson:** I raise the example of the hospitals. We've been trying to get a hospital in my riding for a



number of years, going back to the Liberal government; we're still trying to get it and hopefully we're very close and hopefully this government will cooperate and we'll have a hospital very soon. But there's a paragraph in one of the sections of this bill, subsection 33(3), which I'd like to read to you, because my interpretation of this bill shows you the trickery and the fraud that is being created on the taxpayer of this province.

Subsection (3) is one of the sections that deal with capital payments deemed to be a loan. In other words, in the past, moneys came in the form of grants, whether to school boards or to hospitals. Those were called grants, and they didn't have to be paid back. Those were moneys that came from the province to assist a municipality or a school board or a hospital in developing a capital project.

**Hon Mr Cooke:** We had to pay them. We borrowed the money.

**Mr Tilson:** That's right; you did borrow the money, but now you're getting the property taxpayer to borrow it. That's exactly what you're doing.

**Hon Mr Cooke:** No, no, that's not true.

**Mr Tilson:** There's no question you borrowed the money, and that's the problem. You've reached your debt capacity and now you're going to move on to the hospitals and the school boards and the municipalities and you're going to push those groups to debt they've never seen before. That's the only other way you're getting money in this province, because the credit rating of this province has really gone down the tubes.

Subsection (3) of section 33 says: "Except for capital projects where the Minister of Health's share is less than or equal to \$1,000,000, a payment for capital purposes made by the Minister of Health to a hospital as defined in the Public Hospitals Act or any other facility receiving funding for capital purposes from the minister, that is charged to an appropriation of the Ministry of Health for the fiscal year commencing on the 1st day of April, 1993 shall be deemed to have been a loan."

1750

I apologize for reading all this gobbledegook, but that's what we get down to: All grants to hospitals for capital projects over \$1 million are now loans. Oh, well, what happens is that the Ministry of Health says: "We'll pay it back. We'll give you the money to pay to this crown corporation to pay it back." That's what they say they're going to do. But do you trust them? I don't, quite frankly, trust you. You've said so many things since 1990, that you're going to do certain things, and you don't do it.

My problem is that the hospitals, and there are many people in this province, many hospital boards, that are trying to raise capital projects in excess of \$1 million, up to now have been led to believe that those capital

improvements were going to be grants. Well, they're not grants any more; they are loans.

**Mr Sutherland:** It's a legally binding contract.

**Mr Tilson:** Yes, if the province agrees to pay back what it said before were grants, which are now loans. That's the magic of it. It's trickery, it's absolute trickery, I say to you, and you know perfectly well it is.

The same applies to school boards. We spent a great deal of time on that. I'd like to spend some time on what this bill is going to do. Bill 17 has been summarized many times, but I'm going to provide some more—

*Interjections.*

**The Acting Speaker:** Order, please. There are a great many conversations going on. The honourable member for Dufferin-Peel has the floor. Please allow him the opportunity of participating in the debate.

**Mr Tilson:** Bill 17, as we all know, is going to create three new crown agencies, and it's going to revitalize a fourth. It sets out responsibilities for certain areas for each of these corporations. It sets out standards for the creation and operation of the corporations. Again, I ask the question as to why that is being done. There's no logical reason why it's being done other than has been said by the previous speaker and the previous speaker before that.

We know perfectly well that the deficit in this province has got to unbelievable heights, and we know perfectly well that the Treasurer is trying to improve the credit rating in this province, and unless he fudges the books, as the Provincial Auditor in this province has said, the independent Provincial Auditor who spoke unsolicited at the committee dealing with Bill 17 and who is very critical of Bill 17—and I'd like to refer to that if we have time this afternoon. There's no question that it's trickery.

The corporations are established as corporations without share capital and with special crown agency status. Why are we doing that? I don't know why. Does that mean that with what we're doing now with the various agencies, the various ministries, they're not doing their job? Is that what that means? You say that it's going to create jobs. The fact of the matter is, why are you doing it? Are you acknowledging that you can't do what you want to do now with your existing machinery? Is that why you're saying it? All you're doing is creating more bureaucracy. I can tell you that all the bureaucrats who are going to be laid off from a particular ministry are now going to be moved into this crown agency. Who do you think you're kidding?

There is the story that came out in the summertime, the constituent in the town of Orangeville coming up to me and saying, "What in the world is going on, selling the jails and hospitals and courthouses to the government itself?" It just doesn't make sense.

The corporations are granted the capacity, rights,

powers and privileges of an actual person. The corporations are to be managed by their boards of directors. This is the next interesting part, who is going to be appointed to these things, because they're appointed by the Lieutenant Governor in Council. Each board will include a chair and four to 12 other members, all of whom will be appointed by the Lieutenant Governor in Council. It's going to be interesting if this bill passes, and obviously it's going to pass. You've made up your minds it's going to pass. I wonder who those people are going to be. I wonder who they're going to be. Are they going to be independent people?

The real issue it gets down to is that in the existing system we have now, which albeit has its weaknesses, there is a process in which members of the public can get to the government members, through members of the opposition, through yourselves; they can get to your constituency offices and raise questions.

This bill has been compared to creating a new IWA, a new Ontario Hydro. How often has the Minister of Labour stood in his place with respect to questions dealing with Ontario Hydro, or the Workers' Compensation Board rather, and said, "It's none of my affair; I have nothing to do with that," or the Minister of Environment and Energy stood up with respect to the Interim Waste Authority settling the three dumps in this province and said: "I don't know anything about it. They're on their own and they're doing a wonderful job. I really can't help you." Is that what is going to happen with these new crown agencies which are going to have NDP people in them, operating them? Is that what's going to happen? I fear that.

The Minister of Finance, I understand, is the minister responsible for the Ontario Financing Authority. The Deputy Minister of Finance—which is interesting, talking about the independence of these crown corporations—will be ex officio and be the chair of the board of the Ontario Financing Authority. The Minister of Transportation is the minister responsible for the Ontario Transportation Capital Corp.

I thought these things were independent. I thought these corporations were independent, but they're not. The same people who are running what's in the government now are going to be running these things with more bureaucrats and more expense. Then the Treasurer's going to be able to stand up in his place at the next budget and say, "We have reduced the deficit in this province by millions of dollars." You know where the deficit is? It's going to be in these crown corporations. The member for Etobicoke West in his usual forceful way has said exactly that and he predicts that's exactly what's going to happen, that the Minister of Finance is going to stand in his place and say just that.

The Minister of Environment and Energy is the minister responsible for the Ontario Clean Water Agency and the chair of Management Board of Cabinet

is the minister responsible for the Ontario Realty Corp: again, questions as to how independent are these groups.

Why are we doing it? Why do we have ministers, who are doing what is going on now, now going to be moving to crown corporations? We have seen how Ontario Hydro, the Workers' Compensation Board, the Interim Waste Authority, have turned out to be a complete fraud. All of these things are. They are failing. They are going bankrupt.

Workers' compensation is an absolute sham in this province. They say it's helping the worker but it's not. More problems have developed with workers' compensation in my office, and I'm sure in your office. The number of people who come to my office who have shown complete dissatisfaction with workers' compensation is by far the highest number of complaints. I'm sure if you all stood up in your place and admitted that, you would say the same thing.

That is basically what this bill in a nutshell is trying to do.

The labour considerations: Remember who we have running this place, the province of Ontario, now. We have a socialist government. If you start listening to what exactly is going down, Bill 17 as I understand it is going to provide even greater protection to crown employees by actually prohibiting the four corporations established under Bill 17 from contracting out an activity of a corporation, if the contracting out has the effect of replacing the employees of the corporation, of terminating the application of the Public Service Act to those employees. Isn't that, to use the member for Etobicoke West's word, wonderful socialist pap? I mean, that's just great.

Now, of course, it's clear: This prohibition is not absolute because Bill 17 also allows the responsible minister who is in effect controlling these things, either indirectly or through his or her deputy, and the corporation to agree otherwise. So if they agree to that, they can do that.

Of course, obtaining such an agreement will probably be one of the more challenging issues of what they're calling public-private partnerships. That's the even further fraud of this thing. They're calling this a public-private partnership. Can you imagine a public-private partnership? There's no way in a million years that's what this is.

Mr Speaker, if you wonder why we are all so cynical over here with respect to this bill, those are some of the issues we're concerned with.

We start talking about the crown corporations that have been developed in this province. Ontario Hydro, for example, is one. It has grown so large it's even bigger than the Ministry of Environment and Energy. I guess that's the fear, that you create these new monsters, and we're creating three of them, and they're going to be monsters and they're going to be out of



control. Meanwhile, the size of the Ministry of Environment and Energy—

**Hon Bud Wildman (Minister of Environment and Energy):** I thought the Tories created the monster Ontario Hydro. We didn't create Ontario Hydro.

**Mr Tilson:** Now I'm hearing heckling from the Minister of Environment and Energy. It's a monster and he knows perfectly well it's a monster. We have no idea what the size, the number of employees of these corporations is going to be. The administration: None of this has been made clear. We have no idea what the total size of the corporation's going to be.

The fear we have is that it's a monster, it's bureaucracy, it's cost and it's deception that this province has never, never seen before.

I have quite a bit to say further, but it is almost 6 of the clock. I would like to adjourn this debate so that I could continue my remarks on another day.

**The Acting Speaker:** It now being 6 of the clock, this House stands adjourned until 10 am tomorrow morning for private members' public business. This House now stands adjourned until tomorrow.

The House adjourned at 1802.







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Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Thursday 21 October 1993

# Journal des débats (Hansard)

Jeudi 21 octobre 1993



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers



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Thursday 21 October 1993

The House met at 1001.

Prayers.

**PRIVATE MEMBERS' PUBLIC BUSINESS**

**MINING INDUSTRY**

Mr Miclash moved private member's notice of motion number 24:

That, in the opinion of this House, since the mining industry is a major contributor to the economy of Ontario through employment, development of new technology, taxes, and the community life of many northern Ontario towns; and

Since Ontario government policies directly affect the economic, social and regulatory climate within the province; and

Since the mining industry is affected by the policies and regulations of the numerous provincial government ministries; and

Since the efforts alone of the Ministry of Northern Development and Mines have not been enough to restore confidence within the Ontario mining community;

Therefore, the government of Ontario should co-ordinate its various labour, social, economic, and regulatory policies in order to establish a stable climate in Ontario which will encourage continued mining and exploration in Ontario.

**The Deputy Speaker (Mr Gilles E. Morin):** Pursuant to standing order 96(c)(i), the honourable member has 10 minutes for his presentation.

**Mr Frank Miclash (Kenora):** Let me begin with a statement which is very familiar to anyone who knows the mining industry across this province. This statement has often been referred to and we often look at the mining industry as a pillar of the economy of Ontario.

I must say it is truly unfortunate that a good number of Ontario citizens do not realize the value of this industry and the value it offers to the economic wellbeing of the province, especially northern Ontario, where it is one of the largest non-government employers.

I must say that when we take a look at the crux of this resolution, it indicates that we must get the ministries of the Ontario government to coordinate their various efforts to ensure that mining continues in this province and that it grows.

I must repeat part of the resolution, which indicates policies "which will encourage continued mining and exploration in Ontario."

Throughout my comments this morning, I will be referring to a good number of groups, groups from northern Ontario that have made many suggestions to

reinforce what I will be saying, and they've made these suggestions over and over again.

Again, I cannot stress enough the importance of the industry in this province. I would just like to begin as well by touching a little bit on that, noting that the mining industry creates some \$5 billion in new annual wealth in the province of Ontario. As well, the municipal, provincial and federal governments receive more than 50% of the wealth generated by the mining industry in Ontario. We must take a look at the taxes paid by the industry. This is especially important in municipalities in northern Ontario, knowing that the taxes to the municipalities alone range in the area of \$51 million. One can see why it is such an important industry, especially in northern Ontario.

Employment generated by the industry: Something a lot of people don't realize is that the industry employs some 30,000 people directly and another 70,000 indirectly across this province and in northern Ontario, again very important, provides 10% of the employment and pays more than 20% of the local taxes. Of course, a lot of people will know that mine workers are some of the highest average industrial wage earners across the province; they're earning somewhere in the neighbourhood of \$1,000 per week, just a little bit of why this industry is especially important. These statistics give a bird's-eye view of its importance in Ontario.

When we talk about the actual spending of this industry in the province, when we take a look at the costs of opening up a mine, just getting a mine under way, in 1950 we looked at a cost of some \$15 million, but that cost has increased to over \$100 million in 1992 dollars, again a real influx into the economy.

I indicated that various groups have come forward to express concerns about this industry and about the attention it's receiving from government these days. If I just might quote one of the resolutions that will actually be presented to the Ontario NDP government cabinet on November 3, some three weeks away, what it has indicated is, "That the provincial government critically review all pertinent legislation and regulations affecting the mining industry and derive a coherent and workable set of requirements and incentives to both revitalize and sustain the exploration sector of the Ontario mining industry." I think the stats I have given indicate that they too realize how important the mining industry is to us.

If we take a look at what is happening in terms of the investment—I spoke a little earlier about the investment of this industry—and we go back to 1988, where we see that \$450 million was spent on exploration in the province of Ontario, if we take a look at the figure in 1991, we find that the figure has decreased to \$125

million, and in the most recent figure, 1992, we find out that only \$90 million has been spent. If you take a look at that decrease in the amount spent on exploration, you can see that the sky is actually falling on this industry, and it's falling quickly. That's why I bring this resolution forward today.

Mr Speaker, you and many of the other members of the House will be watching today and will probably have a question as to where this industry is going. As I indicated with the figures on exploration, we can see that the exploration is not as involved in this province as it once was, back in earlier years. I must say that during my tour across the province—I took a tour and visited many of the mines and the associations across the province—the news was not encouraging. We found out that the industry is not happy with what is happening in terms of what is going on here in government.

Increase in production costs was one of the main areas most industry was concerned about, that most people I talked to on a one-to-one basis were concerned about. I think one of the major areas they were really concerned about was the government-mandated costs; the workers' compensation costs, for one example. They've indicated that as their safety record is improving, the rates are rising to a proportion where they're getting to a point where they cannot handle the rates that are being offered to the mining industry. I've heard many times, as I've heard from other employers across this province, that we must push for an inquiry, a commission to investigate all the matters pertaining to the Workers' Compensation Board.

Another major area of concern was Ontario Hydro rates. We know that in recent years hydro rates have increased at a rate double or triple the pace of inflation. We also know that this industry is heavily dependent on electricity. The impact of these rates has impaired the competitiveness of the industry within Ontario. I can't express enough how this is affecting a very important industry.

1010

I also heard about the environmental legislation and regulation going on in this government today. As you will know, we have a very important development going on in my riding, in proximity to the first nation of Shoal Lake. I must say they are very concerned with some of the regulations and the legislation from this government that they are being requested to go with.

When we take a look at what was in the budget, the budget indicated that there would be some relief for mining companies across Ontario. In the Ontario budget address they indicated that they were going to support further development of the mining industry, particularly in northern Ontario communities. In order to do that, the Treasurer said he was providing capital tax relief for junior mining companies issuing flow-through shares to individuals. In addition, he said that he was going to

introduce legislation to allow mining companies to deduct immediately their contribution to reclamation funds for the cleanup of mine sites. This measure will preserve our environmental goals while providing a cash-flow benefit, especially for small mining companies.

As I spoke to various organizations across the province, they indicated that they were great words, nice words, but that there's been absolutely no follow-up to this commitment that was made by the Treasurer. Even at the Meet the Miners night, I listened to the Minister of Northern Development and Mines indicate and reassure us that this initiative was going forward. I must indicate nothing has happened.

When I see headlines like "Ontario is Rapidly Becoming a Bad Place to Invest," relating to the mining industry, I think we all have something to get nervous about. I think we must encourage this government to move ahead, not only the Ministry of Northern Development and Mines, but all of the ministries to come together to take a close look at what is happening to this and what is happening to what I indicated earlier was truly a pillar in terms of the economic climate in Ontario.

You must realize that, being from the north, I do have a very close interest in what happens, not only in what is going on in the industry today but in its future development. As we know, there is a lot of room for expansion in this industry. There's a lot of room for the much-needed jobs that we need in northern Ontario. But it's certainly going to take the coordination of the various government ministries to ensure that investment comes to Ontario and moves ahead.

**Mr Leo Jordan (Lanark-Renfrew):** It gives me great pleasure to rise and speak this morning in support of the member for Kenora's resolution on the mining problem.

The resolution is a timely acknowledgement that our mining industry is in dire need of new policies and new plans to ensure its survival. In essence, we need an entire overhaul of government policies affecting mines in Ontario. Without a coherent strategy for mining from both provincial and federal levels of government, Ontario's mining industry may come to a grinding halt in the not-too-distant future.

The resolution, as put forward by the member for Kenora, states that "the mining industry is a major contributor to the economy of Ontario through employment, development of new technology, taxes, and the community life of many northern Ontario towns." The mining industry is not only a major contributor but a crucial component of our entire economy. The health of this industry determines the health of the entire province.

I can illustrate this fact by reminding the government that 30,000 people in Ontario are directly employed by



the mining industry. Another 56,000 people are employed in related fields that are entirely dependent upon mining. For the entire nation, 100,000 Canadians are employed in the mining industry, with another 300,000 in directly related sectors. Mine-related jobs in Ontario form a total of 21% of the Canadian mining workforce.

On a national level, mining contributes \$18 billion to Canada's balance of trade, of which Ontario accounts for 30% of this activity.

In 1990, the Ontario mining industry paid out \$504.5 million in taxes and donations. This breaks down to \$280 million to the province of Ontario, \$165 million to the federal government, \$51 million to municipalities and \$8.5 million to charities and community projects. Furthermore, every year the mining industry generates \$7 billion in new wealth in Ontario alone.

It should be evident to this government that the mining industry contributes significantly to our economy and high standard of living, yet it appears that the NDP government has failed to grasp the fact that it is its policies that are making mining in Ontario less and less viable. In fact, if the government continues on its current course, it will have managed to squeeze out the mining industry altogether. Their labour laws, their environmental regulations, pay equity, employment equity—it goes on and on, making it more difficult for the mining industry to survive.

In order to relay the message about the effects of this government's policies, I will read from the following article published in the Sudbury Star by Don McKinnon. The article is entitled "Government 'Strangles' Mining Industry." It reads as follows, and I quote from the article in the Star:

"As one who has made a living in mining for more than 30 years, I am deeply worried about the state of the industry in Ontario.

"The present government, the New Democratic Party regime of Premier Bob Rae, is dedicated to strangling mining.

"The number of mines closing outnumber the ones opening and exploration is declining."

These are hard words against the government, yet it is a message which must be heard. More mines are shutting down than are being opened. We are witnessing a brain drain whereby mining interests are taking their jobs and their skilled workforce to other countries and jurisdictions.

Ontario mining jobs are being driven to the United States, they are being driven to Central and South America and they are being driven to Europe. They are actually being driven out not for a lack of resources—we have the resources—but by the harsh regulatory environment created by this government.

I think the members present of this government

should surely take note of the seriousness of these regulations and laws that are making it so difficult that we are losing one of the best Ontario industries we have had over the years, especially related to the development of the north.

The primary example of the harsh climate created by this government is evident in its approach to exploration. Without exploration there's no future for the mining industry.

As it stands now, close to 75% of the land in this province is under exploration freeze. Can you imagine that—75% of the land in this province is under exploration freeze? Exploration has been brought to a standstill in three quarters of this province due to ongoing negotiations with the natives. This is also the problem that's killing the lumber industry in this province.

1020

I can see no reason why the government would deny access to these resources. There is no reason, unless this government has a hidden agenda to bargain away our resources throughout the course of land claim negotiations. Instead of trying to appease one segment of the population, the government must recognize the immediate need for mining activity that benefits all of Ontario. I suggest they do so by lifting the freeze on mineral exploration wherever possible.

Another factor that has led to the decline in mining is this government's lack of respect for mineral property rights. The Ontario Mining Association has pointed to political decisions on land use designations as an example. These decisions threaten to remove land from further exploration and development even after large investments have been made on exploration and study. You can see how quickly a company loses confidence in the future of development in this province. They've already spent millions of dollars on exploration, and all of a sudden the government, through a regulation, removes this land from exploration. So there you are with the land locked up, and the money is there.

The Ontario Mining Association's message to this government is quite simple: If there is no security of access to resources they have already explored, they will not have the confidence to continue exploration in Ontario. Without exploration and without confidence, the mines will continue to close.

The burden of environmental regulations has become so severe that it can take as long as 10 years—10 years—to open a mine. The Ontario Mining Association reports that these delays are caused by variations between federal and provincial environmental assessment processes, duplication of the processes, indeterminate time frames and a constantly changing regulatory framework. It's quite clear a new process is needed to establish streamlined federal and provincial environmental regulations. Failing that, mining companies will continue to relocate because they cannot afford the time,

money and uncertainty of our present government.

On September 23 of this year, the Ontario Mining Association, in conjunction with the national organization, released a plan to deal with the problems we have discussed here today. The report was developed through the Whitehorse initiative, an action driven by the mining association to bring all stakeholders together to find solutions to the problems facing the industry. Through these meetings with federal and provincial mining ministers, the association has developed some of the following recommendations:

—Minimize upfront environmental costs by introducing a RRSP-type of reclamation and rehabilitation fund. The money, the capital, has to be set aside to reclaim the mine after they finish the mining. So what the mining companies are asking is that that money be tax-exempt. It will be set aside to reclaim the mine, but it will be tax-exempt like a RRSP and it will also provide collateral for them to draw on in exploring further.

—Establish a process for land use planning to ensure both the protection of Canada's natural heritage and access for mineral resource development.

—Respect mineral property rights to reduce uncertainty and restore investor confidence.

—Change the tax laws on mine reclamation funding to encourage new investment in mines.

The mining industry has shown its willingness to stay in Ontario. They have formulated a plan that will enable the industry to continue to prosper and create employment. Now it is up to the government to do its part. Implement the reform measures brought forward by the industry and formulate a coherent plan to enhance mining in Ontario.

**Mr Len Wood (Cochrane North):** It's a pleasure for me to be here today to address the resolution the member for Kenora, Mr Miclash, has brought forward. Two or three different areas that I want to touch on are land use planning, mining in provincial parks, the interim measures agreement and the one-window approach that we have to service.

I must point out the fact that I will not be supporting this resolution, but as the parliamentary assistant I want to cover some of the areas the Ministry of Natural Resources has put forward that I believe do a lot for the mining industry.

On land use planning, we have successfully held meetings on the first public discussion paper that was issued back in December and we received a lot of public input. There's a second public paper that will be put out within the coming month. Mining interests and organizations have been involved right from the beginning: the Ontario Mining Association and the Prospectors and Developers Association of Canada. MNR wants to see how land base use could be used by all stakeholders: mining, forestry and recreation. Public review

has been well received by many of the stakeholders.

MNR believes in multiple-use prescriptions for crown land. Each stakeholder wants to use crown land for a specific purpose. It is MNR's responsibility to ensure that the uses are compatible with each other and with the premise of sustainable development.

I might point out that in 1988 the Liberal MNR minister, Vince Kerrio, prohibited mineral exploration and mining activities in provincial parks. We agree with this. We are not going to change this. No mining activities will be allowed in provincial parks.

But I must point out that the resolution that's being brought forward by the Liberal member—he must be reminded that their government brought forward some restrictions in 1988 by Vince Kerrio, but we agree with those.

The provincial parks system promotes the protection of the environment, compatible recreation, heritage protection, science, education and tourism-related activities. The parks system is doing what it was meant to do, multipurpose use, and the parks system is very good for the whole ecosystem throughout the province.

MNR has been working very closely with the Minister of Northern Development and Mines and the mining industry before setting aside land as a provincial park, and will continue to do so.

In the limited amount of time I have I just want to touch on the interim measures agreement our government brought forth, which allows for consultation during a 30-year period. It has worked very well. It came into effect in 1991. It's had a 92% success rate over the time it's been there.

In my particular riding, Blue Falcon Mines has used that system for exploration for diamond mining near Attawaspiskat and it's working out very well. That's the second year now that they've been doing exploration there. It's not adding more red tape, as some of them have suggested; it's having everybody involved. We're getting a good feedback from that particular area that we're covering.

MNR, MNDM, Labour and Environment and Energy have all worked together to bring one-stop shopping to apply for land use permits and other processes which under the former Liberal government would take many trips to different ministries to accomplish. We did it on a one-window approach to service and our feeling is that it's working very well. We did this back in 1991 in a direct response to mining industry concerns regarding permits.

I'd just like to point out again that I will not be supporting this particular resolution because I believe we have come a long way to address the concerns of the mining and exploration industry throughout Ontario, and we will continue to work with it in developing and exploring mining throughout the north.



1030

**Mr Michael A. Brown (Algoma-Manitoulin):** I'm shocked to learn that the member for Cochrane North isn't going to be supporting a well-thought-out and important resolution that I thought particularly all northerners would choose to support. You would note that this just asks to coordinate the various labour, social, economic and regulatory policies in order to establish a stable climate in Ontario which will encourage continued mining and exploration in Ontario.

*Interjections.*

**Mr Brown:** Mr Speaker, I'm having a little difficulty.

**Mr Tony Martin (Sault Ste Marie):** That's because you're not confident enough.

**The Deputy Speaker:** Order. The member for Sault Ste Marie, order, please.

**Mr Brown:** Thank you, Mr Speaker. I want to remind members of the importance of the mining industry to the province of Ontario. In Ontario, the treasury benefits hugely from the efforts of our mining companies, the employees of our mines, the people who work in our mines—hugely. There's an estimate that \$500 million in taxes comes to this and the federal government from the mining industry each year. The industry also employs about 21,000 people in this province.

**Mr Jordan:** It's 30,000.

**Mr Brown:** No, it doesn't employ 30,000. It employed 30,000 in the late 1980s. It employs about 21,000 now.

We have a huge potential for mining in Ontario. We have the deposits, we have the skills, we have the expertise; we have everything it takes to be a leading mining jurisdiction in the world. So what's the problem? Why have we lost about 9,000 jobs? Why have we lost significant revenues to the province of Ontario? Why are northern communities facing a very difficult time in coping with unemployment?

I would cite just a community I represent. In 1989-90, we had 4,000 people working in the mines of Elliot Lake. Today we have less than 600, and some of that is at the doorstep of this government. This government told almost 2,000 miners in Elliot Lake that it couldn't afford to buy their product, that it couldn't afford to buy a product which had provided the energy to provide 30% or 40% of the electricity that is generated in this province and came directly from the uranium that was mined in Elliot Lake.

This government decided, against every principle it had enunciated for years in various election platforms, that no, the miners of Elliot Lake, the families of Elliot Lake would be better out of work than for the province to buy uranium that this party, the New Democratic Party, had over and over again in election campaign after election campaign promised to buy at any price.

That is what the Elliot Lake mining community faced.

**Mr Wood:** Tell them about the millions of dollars you put into Elliot Lake for economic development, Mike.

**The Deputy Speaker:** The member for Cochrane North, you had your time.

**Mr Brown:** I seem to have hit a nerve.

I would like to move on to speak, most importantly, about the report that Mr Miclash, the member for Kenora, has presented. Mr Miclash is known across the north and certainly among my colleagues as one of the leading proponents of mining in the province of Ontario. He served as a parliamentary assistant to the Minister of Northern Development at the same time I was serving as the parliamentary assistant to the Minister of Mines. In January of this year, Mr Miclash travelled across the north and presented a report to our caucus outlining the barriers and impediments to increasing mining activity, thus increasing jobs and thus increasing provincial revenue to the people of this province.

And what have we got? This government knows that mining contributes huge revenues to this province, huge wealth, and what has it done? Let's go through some of the highlights of what the mines and mineral section of the Ministry of Northern Development and Mines has done to help the mining community develop.

What they've done to help: They cut the administration of the Ministry of Mines by \$3.6 million. They cut geoscience research grants by \$700,000. They cut the client service branch by \$800,000. They closed the Timiskaming testing laboratory and reduced grants, inspections and services to save \$5.6 million. The party that railed against the cutting of the federal flow-through shares was pleased to cut OMEP, the Ontario mineral exploration program, by \$4 million and to cut OPAP, the Ontario prospectors assistance program, by \$2 million, very interesting things for a government—

**Mr Gilles Bisson (Cochrane South):** On a point of order, Mr Speaker—

**Mr Brown:** Mr Speaker, this is private members' hour. He will have his turn.

**The Deputy Speaker:** Order; it's on a point of order.

**Mr Bisson:** I would ask the member across the way to be specific, because he is misleading the House in his assertions on OPAP. It is this government that has advanced that program through the northern Ontario heritage fund.

**The Deputy Speaker:** This is not a point of order. Please take your seat.

**Mr Brown:** Mr Speaker, he accused me of misleading the House.

**The Deputy Speaker:** The member for Cochrane South, I would ask you to apologize and to withdraw your comments.

**Mr Bisson:** Mr Speaker, I would withdraw the word "misleading."

**The Deputy Speaker:** I ask you to withdraw your comments and apologize.

**Mr Bisson:** I will withdraw and apologize, Mr Speaker.

**Mr Brown:** Thank you, Mr Speaker. When you total this up, that is a cut from the Ministry of Northern Development and Mines, just the Mines section budget, of \$24.8 million. This is an industry that supplies governments with \$500 million in revenue.

Most importantly to me, the member for Cochrane North talked about what this government has done for my miners in Elliot Lake. I want to tell you what they've done recently: They had announced 50 jobs, to do what I think was very important work for the mining community; they were to establish a mining reclamation centre in Elliot Lake. They were to provide that community, which has been devastated by the actions of this government, with 50 jobs. We've lost 3,400 jobs; 50 jobs is what this government was going to provide back. I supported it, I thought that was a great idea, but they cancelled it this spring.

What message does this give to people concerned with the environment about reclamation of mines? What message does it give to mining communities like Elliot Lake, that are being strangled by the policies of this government? I certainly don't believe it's positive. I believe all members therefore have an obligation to support Mr Miclash's very, very reasonable resolution to call for getting the mining industry going.

**Mr Martin:** It is with great pleasure that I rise today on this motion to put some comments on the record re the attempts by the members across the way to continue to approach challenges that face us in the north in the same old predictable ways that really produce no results and haven't in the past.

The two members from the Liberal Party who have presented today were members of the Liberal government in the late 1980s. I dare say that the difficulties we're experiencing in northern Ontario didn't start in 1990; they started quite a while ago, structurally and in the approach that governments took to the development of the resources of the north.

I want to give credit to the efforts and energy put in by the Save Our North committee in the north as it looks at the challenges that face us today.

It is wonderful that it has taken this challenge on and has begun to work cooperatively with this government to try and put in place those things that will produce the kinds of long-term results we need and expect in northern Ontario if we who live and work there are to have a standard of living, a quality of life we all deserve. But the same old "throw money at it and allow people to come in and high-grade the resources" attitude

of the past Progressive Conservative and Liberal governments will no longer work.

I think we've shown examples in a number of different ways of how we will work in the north. We will get the people who live and work in that part of this province to be intimately involved in the ownership and the direction and production of the places where they work. In the end, because we've involved more people, because we've looked at sustainability and long-term results, we will all be better off.

I know that the member from Cochrane, who will speak after me, will speak more specifically about some of those things we've done as a government. I look forward, with you, to hearing him put on the record some of the very exciting things we have begun to do in partnership, in cooperation with those people who now live and work in northern Ontario, because we know that's the only way to go and it's the only thing that's going to produce the kind of results that I know the member across the way wants and in fact will be happy to experience as this government moves forward in the next five to 10 years to make those things actually happen.

1040

**Mr Monte Kwinter (Wilson Heights):** I'm pleased to join the debate, in support of my colleague's resolution. I think it's important. Members of the government side have been critical of the statements that have been made by members on this side, saying they are calling for solutions that require throwing money at issues and condemning previous governments for not responding to the concerns of the north.

If you read my colleague's resolution, he says he's calling on the government to coordinate—he's not asking it to spend money, he's just saying coordinate—its various labour, social, economic and regulatory policies in order to establish a stable climate in Ontario which will encourage continued mining and exploration in Ontario.

We are truly blessed in Ontario; we are blessed with resources that are the envy of the world, yet we have a situation—to give you just one example, a headline appeared in the Toronto Sun on Friday, September 24, 1993. It says, "Investors Flocking to Troubled Cuba," and it says that Canada's MacDonald Mines Exploration is about to sign a joint venture agreement in Cuba to try to maximize opportunities there.

If you take a look at other areas that Canadian companies are exploring—we look at Chile, we look at central Europe, we look at the CIS—Canadian companies have always been at the forefront of mining exploration anywhere in the world. Yet at our own doorstep we have a situation where there is a perception by the industry that governments—and I'm not just blaming the government of Ontario; this is governments across Canada—for some reason have lost their focus on



the importance of what this industry has contributed.

The overriding concern of people in the industry is that the increase in government-mandated production costs to their operation is making them uncompetitive, and it has literally forced them to look at other jurisdictions where they feel they have a chance of getting a return for their investors and concluding a successful operation. The industry has identified certain provincial issues to make its point. I want to just talk about a couple of them in the very short time I have.

One of them has to do with workers' compensation rates. The perception generally held is that the Workers' Compensation Board is operating as a social security tool rather than as an agency that oversees the rehabilitation of workers. This has led to an increase in assessment rates that cannot continue to be funded by the industry. Let me give you an example.

The mining industry pays an incredible amount in WCB expenses compared to other industries in Ontario. The average employer in Ontario has a compensation assessment of 3% of payroll and an unfunded liability of about \$2,500 per employee. The mining industry has an assessment of 9%, which is three times as much, an unfunded liability of \$45,000, which is 15 times as much, and this situation exists despite the fact that the industry has some of the highest safety standards and lower compensable injury claims compared to other large industries in Ontario.

As a matter of fact, according to industry statistics, there are only two industrial workplaces that have a better health and safety record than the mining industry, namely, the pulp and paper industry and hospitals. Yet the mining industry is being asked to pay this very, very large penalty.

Another major issue is hydro rates. Mining operations are heavily dependent on hydro. At one time, industry in Ontario enjoyed a very competitive situation compared to operators in other jurisdictions because of our very favourable hydro rates. Ontario Hydro has raised the cost of power by almost 30% over the past three years, the period from 1991-93. Let me give you a couple of examples of how important this is to the industry.

Kidd Creek, which is a mine: 18% of its operating costs are dedicated to energy. Algoma in Wawa: 17% of its production costs are related to Ontario Hydro. Royal Oak Mines spent \$2.5 million last year in hydro costs. There's a whole list of companies that have had their hydro rates go up. To give you an idea, since 1975, Ontario rates have gone up by 428%, whereas the consumer price index has increased by only 198%.

Because of these things, we have a situation where it is becoming more and more difficult for companies to operate at a profit. When you consider the importance that the mining industry has in the economy of Ontario, and particularly the economy of northern Ontario, it is

absolutely critical that this government take a look at all of its regulations, all of its laws that impact on this industry and make sure that they are coordinated in a way that will make it attractive and profitable for these people to operate, because when they succeed, we succeed and the people of northern Ontario succeed.

My very last point that I'd like to make is the fact that we have a situation where there is a critical need to address the whole situation dealing with what happens to the reclamation of mines and the taxation implications. The government has announced in its budget that it was going to do something about it; to date, it has not. I call on the government to bring forward the adequate legislation to make sure that the capital that is being used for this reclamation fund can be utilized now in the same way that a RRSP can be used. Then, as they need the reclamation, they can do something about it.

**Mr Chris Stockwell (Etobicoke West):** I thank the member for Lanark-Renfrew, who brought forward this motion on October 19, 1993, and on September 28, 1993. It was good of him to bring this to the attention of the House and again for the Liberals to bring this resolution forward.

The difficulty you're faced with in the mining industry, as in all resource industries, is that during the 1960s, 1970s, even the 1950s and 1980s, resource-based industry in this country was very prosperous, it was very stable, it was a growing industry.

Governments during that time kept an eye on these kinds of growing resource-based industries. They taxed them heavily, they regulated them heavily and they created a whole bureaucratic maze, through environmental processes etc, that these groups would have to hurdle their way through during these—

**Mr Martin:** Where's your member for the north?

**Mr Stockwell:** I hear from the member for Sault Ste Marie, who rarely gets up to speak about anything but has a chance to heckle about this.

**Mr Martin:** Where were you when I spoke?

**Mr Stockwell:** Mr Speaker, with all due respect, I ask you to see if you can control this member, who never have a word to say in this House except heckle.

1050

During those periods of time they became over-regulated, overtaxed, and a bureaucratic maze was set up for them.

The difficulty they're faced with is they're in a very competitive market today, and it's a worldwide competitive market. The profitability has gone down, the costs have gone up, yet they're still saddled with very excessive government taxation policies, environment policies, regulated policies. Some of those were touched on, WCB, for instance, Ontario Hydro, and the bureaucratic environmental malaise they must go through.

All these policies have contributed to a once proud

resource-based industry, a thriving resource-based industry, being brought to its knees, not by itself and not by the communities that it's in, but by government. Governments have regulated them to death. By regulating them to death, they end up having to bail them out in short-term bailout packages that do nothing but cost the taxpayers money.

On the one hand they bail them out and on the other hand they take more back, then they shock themselves when these industries close up and thousands and thousands of jobs are lost in this province and towns literally shut down.

I think the member for Lanark-Renfrew has offered a very comprehensive review of what needs to be done, and it's not a resource issue. It's not their problem; it's your problem. You have to examine your policies, your regulations, your taxes, and allow them to prosper. I will say, Mr Minister, if we get out of their faces, these resource-based towns and organizations can prosper. Rather than hindering them, we should be helping them.

**Mr Bisson:** It is with great and infinite pleasure that I have an opportunity to respond to the motion put forward by the Liberal caucus today.

I want to say up front that the body of what they speak of in their motion we could agree with. On paragraphs 1 and 2, which I don't have time to read, we are totally in agreement with the member. I want that to be shown on the record.

Where we fall apart and where we have a disagreement is what's read in paragraph 3. I'll put it on the record just so we know what we're voting on here today.

It talks of recognizing that "the efforts alone of the Ministry of Northern Development and Mines have not been enough to restore confidence" within the Ontario mining industry. I'll tell you why.

First of all, to understand what happens in the mining sector, I'd like to back up and go to basically what's happened within the Save Our North group. I would say that about three years ago there was a group that was formed, actually in my riding, the riding of Cochrane South, in Timmins, on the part of people like Steve Parry, Bruce Jeffrey, Dave Meunier, Cid Samson and a number of other people.

They came together in order to be able to say, "Listen, we need to put together a lobby group that can speak to both provincial and federal governments about the problems we're having in the mining industry so that they can address those problems so we can build a mining industry that prospers and that everybody can benefit from."

What this group did was it successfully lobbied the provincial government and worked with the provincial government in order to effect a number of changes that this government has followed through on in order to be

able to address the concerns raised within the Save Our North group. I think this is a credit to those people who worked within, and still work within, the Save Our North group.

What they basically did was this. They put forward a number of key proposals or key concerns before the government of Ontario. They said, "If you can respond to these concerns, it will go a long way to meeting the needs of the mining industry so that the mining industry can go ahead and prosper."

The first thing they put forward was, "We want a one-window approach to permitting." That is all about saying we need one window so that when the mining explorationist comes to government, he or she sees a friendly face and we can work through the system, through all of the various ministries—Ministry of Northern Development and Mines, Ministry of Environment and Energy, Ministry of Natural Resources and Ministry of Labour—all the applications of permitting in regard to exploration.

Under the past system of the Tory and Liberal governments, it was really a complex system of having to go from one ministry to the other, not quite knowing what one ministry was going to do, and it was a fairly complicated process. The Save Our North group said, "If you can provide a one-window approach, it would go a long way to be able to assist programs through the system." This government delivered.

The minister, Shelley Martel, who would have liked to be here to speak this morning, is not able, as a cabinet minister, to speak at private members' bills, and that's why she's not here herself. As her parliamentary assistant, as the rest of the members of this government, we applaud that effort.

It was Shelley Martel, it was the rest of the northern members, the northern caucus, and the Premier who made sure that particular initiative went through. We are now the only jurisdiction in Canada to have that. That's something that this government has done, something that the NDP has done.

The second thing they asked us to do is to amend what is called Bill 220, the Environmental Protection Act, because in 1988, the then Liberal government under Mr Peterson had made changes to the Environmental Protection Act that said we were going to cast the net out and catch all those people who had done damage to the environment on properties that were controlled by them.

What the Liberals tried to do, in all fairness, was the right thing. They tried to say, "Don't allow people to go out and destroy the environment and not be responsible for it." But what ended up happening is that they threw the net out and they caught many other people within that net who really were not intended to be under that legislation.

Again, it was the people within Save Our North,



along with the people of the government of Ontario—Shelley Martel, myself, Len Wood, Tony Martin, Howie Hampton, Bud Wildman, the Treasurer and the Premier—who worked along with the then Minister of the Environment, Ruth Grier, in order to make amendments to the Environmental Protection Act under Bill 220, which says if I'm a mining explorationist and I go on to an existing property that has previously had environmental damage done to it, I will not be held liable.

That was the real key for the mining sector. The Ontario Mining Association lobbied very hard and worked with this government to make that happen. It was tried under the Liberal government; it didn't work. Who delivered? It was a New Democratic government of Ontario that delivered.

The next thing they asked us for, they said, "We want to be able to deliver and put together a system by which we pull together, in electronic format in databases, all of the geological information that the Ministry of Mines has, so the prospector and explorationist can gather the tools necessary to go out and to try to develop and find new mining properties."

The ministry responded to that. What we did was we set aside some \$23 million by reallocating dollars within the ministry and also finding new dollars in order to do three very important projects. The first one is the earth resource and land information system; that's about \$11 million. It's the geoscience database that the very member for Lanark-Renfrew talked about.

#### *Interjection.*

**Mr Bisson:** We did. If you knew what was going on and you took the time to find out what's happening in mining, you would have known that has already been done.

What that does, it basically puts an electronic format of an electronic-type mapping that puts all of the geological information so the explorationist can take a look at a particular piece of land and determine all of the activity that happened within that land to better determine if there's a possibility of finding a mining deposit in that particular property.

The second thing we did was AFRI, the assessment files research imaging program. That's where we take all of the assessment files, some 35,000 of them, and put them into the computer so that people in the mining sector can take a look at that information, again in order to be able to give them the tools to find mining properties.

The other thing we did was the claims client service technology system, which basically allows the prospector and the explorationist to go directly to the mining recorder's office to be able to pull forward all the information and the claims records so that he or she can have a better understanding of what's on a particular claim so they can really hone their skills. Who delivered on that? It was Shelley Martel; it was Gilles Bisson

with the Ontario NDP government. It wasn't the Liberals and Tories.

The other thing we did is with regard to the promotion of the importance of mining. I will just touch on that very quickly. They wanted to put together a program by which the province of Ontario basically went to southern Ontario through TV ads to say: "Mining is important. Mining is something that's important to Ontario and to all of us." Again it is Shelley Martel, it is the NDP government that delivered on the response and on the question to Save Our North and the OMA.

The other thing is the question of mining exploration. I have a minute and 14 seconds, Mr Speaker. I can take two hours to speak on this particular issue because there are a number of things that we did. One of them is that we did do what the member for Lanark-Renfrew asked us to do, which is the whole question of the mine reclamation fund. That was done. The capital tax relief flow-through share system with regard to junior mining companies was done and put retroactive to 1985.

But we have a problem. One of the problems is that the Conservative government in Ottawa changed the investment rules in this country that allow the dollars that are made in profits within the mining sector to be taken out of this country and brought to Chile and other South American countries in order to suck the wealth out of this country. It was the Tories that did that. Just the other day, a \$600-million investment taken away by Placer Dome of profits made here in Canada went to Chile because of the rules that were changed by the Tories. One of the problems we have is the very existence of what the Tories have done in Ottawa.

I only have 20 seconds, but I would like to speak in recognition of the major contribution made by the mining sector to the province and especially in the north where mining is a lifeblood to many communities. This government is committed to working with our partners in industry and labour during these tough times to ensure a prosperous and sustainable mineral exploration and development industry in Ontario. The initiative speaks volumes about the importance the NDP places on mining.

We continue to coordinate our labour and socioeconomic regulatory policies to maintain a stable climate which refers to all mining exploration in Ontario.

**The Deputy Speaker:** The time for the first ballot item has expired. I apologize to the member for Kenora. You still have two minutes.

**Mr Michash:** I would truly like to thank the member for Lanark-Renfrew and the member for Etobicoke West as they have supported much of what I said in terms of what the resolution actually draws itself to and that, of course, bringing the various government ministries—and this is important for the members who are going to be voting against this. I would suggest you re-read the

resolution for what it is saying in the actual resolution. Nowhere do I talk about the spending of government or government increasing spending. I cannot believe some of the things I've heard from the government members today. Nowhere in the resolution does it talk about federal spending, about what the federal government is doing.

I particularly concentrated on what this government, the NDP government, is doing today. For them to get up and suggest that all these great things are going on, I must remind them of the dollars spent on exploration, the actual dollars spent on getting mining going, decreasing from \$450 million in 1988 to \$90 million in 1992. That itself speaks for what is happening in this industry.

I reinforce the portion of the resolution which asks that these government ministries get together, take a look at this industry and go forth to develop policies that will help the industry get going. I always have to go back to something the member for Wilson Heights, with the expertise he brings to the House, mentions: All we're doing is asking for a coordination of efforts by this government to ensure that we sustain mining development and allow it to go ahead in the province.

I would just like to thank those people who have supported the resolution. I certainly look forward to the way northern members are going to look upon what I've asked for this morning.

**The Deputy Speaker:** The time for the first ballot item has expired.

1100

PROCEEDS OF CRIME ACT, 1993

LOI DE 1993 SUR LES GAINS RÉALISÉS  
À LA SUITE D'UN ACTE CRIMINEL

Mr Jackson moved second reading of the following bill:

Bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime / *Projet de loi 85, Loi visant à empêcher les personnes de s'enrichir injustement des gains réalisés à la suite d'un acte criminel.*

**The Deputy Speaker (Mr Gilles E. Morin):** Pursuant to standing order 96(c)(i), the honourable member has 10 minutes for his presentation.

**Mr Cameron Jackson (Burlington South):** One of the most important challenges for our criminal justice system today is that of changing the emphasis from the criminal offender to the innocent victims of crime and responding to their suffering.

Private member's Bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime, is a practical piece of legislation which addresses these concerns, as it provides an offender- and revenue-based approach to funding victims' services like the Criminal Injuries Compensation Board. Bill 85, in summary, would require that moneys that would be payable to an

accused, a convicted or an admitted criminal for the sale of his or her recollections or for interviews or public appearances instead would be paid to the Criminal Injuries Compensation Board. The board is required to use these funds that it would receive to satisfy any judgements obtained by victims of crime in Ontario.

Before I proceed further, I would like to take this opportunity to welcome to the House today several family members of crime victims in our province. They are here today to bear witness to our debate and they are here in support of Bill 85. In fact, a petition they assisted with, which has been circulated around the province, around this bill is with me today. We have collected over 25,000 signatures in a very short period of time. It speaks of their level of support.

On behalf of the victims of crime in Ontario, their families and all those who have voiced their support for Bill 85, I would like to ask all members of this House to give serious consideration to this bill, to vote in its favour and to then send it to one of the standing committees of this House so that we can receive public input, through public hearings, from crime victims in this province, as well as the advice we could get from the Attorney General's office.

In 1989, I first introduced and tabled a victims' bill of rights for Ontario. It contained an entire section, section 7, devoted to preventing criminals from profiting from their crimes. Unfortunately, that bill was defeated in this House. I have subsequently tabled it twice; it's been defeated. I feel badly about that, but I won't give up. I'm convinced that Ontario can be as compassionate as other provinces which have victims' bills of rights, but there's nothing excusing our actions today from not supporting this bill in order that we can be on the leading edge of this kind of reform legislation.

I was pleased that with the support of the PC caucus we were able to convince the standing committee on justice to cause a review of criminal justice issues, victims' issues and how well the Criminal Injuries Compensation Board is serving the citizens of Ontario. Those hearings were conducted in May and June. During those hearings the Attorney General, Marion Boyd, stated that her government would refuse to support a crime victims' bill of rights for Ontario. She said: "A victims' bill of rights that cannot deliver on its promises is little more than empty rhetoric. I am much more comfortable with assessing what the government can provide and making those services directly available."

In response to further questioning, the Attorney General admitted that by comparison in Quebec, which has this type of legislation, it was working well but that it was adequately funded and that her concerns were that in these economic times she couldn't fund criminal justice issues to the same extent.

The provincial coordinator for victim/witness assist-



ance, Susan Lee, told the justice committee on May 7, and I'll quote her directly, "The available services to victims are inconsistent, inequitably distributed and underfunded." She went on to say, "We're obviously severely restricted by the financial realities of the province."

In her presentation before the justice committee the chair of the Criminal Injuries Compensation Board, Wendy Calder, discussed the backlog of 6,000 victim applications before the board which result in endless delays while making the board less accessible to victims in Ontario due to its financial constraints. Her board has the right under the law to recover these damages from criminal offenders by civil proceedings with respect to injury or death cases.

In 1990-91, under the NDP government, the province recovered \$39,000 from criminals in this way, only \$39,000, yet paid out \$9.75 million in compensation to victims that year. The record, therefore, of recovering funds is one of the worst in all of Canada and is completely unacceptable to victims of crime, especially when the Attorney General tells us that justice for victims is now a funding issue. It demonstrates that there must be a political will in place to develop strategies, to recover moneys from the provisions of our current laws and to constantly be seeking out new ways of getting funds out of the criminal perpetrators', and not solely from the taxpayers', pockets. That's how we can help pay for expanding victims' services in this province.

Instead of blaming the federal government, which I'm sure some members are going to do today, our province should be finding ways of deepening its cooperation with Ottawa. Other provinces have succeeded on behalf of their victims. I want to quote directly from a recent submission—it's been out only a week—on crime prevention by the Canadian Police Association which was sent to Ottawa. It states: "The justice committee report on crime prevention estimated the money spent annually on our criminal justice system is about \$7.7 billion. A shamefully small portion of that goes to compensate or care for victims of crime because of the provincial practice, in at least Ontario and Alberta, of avoiding the intent behind section 727.9 of the Criminal Code, diverting moneys received through the victims' surcharge into provincial general revenues."

1110

That's a terrible indictment. We must find positive ways, fairer solutions, more cost-effective means of paying for our criminal justice system. The Criminal Injuries Compensation Board is essential in this province, but it's not meeting the demand and it's not living up to the needs of this province.

On May 31 before the justice committee, Priscilla de Villiers, representing Canadians Against Violence Everywhere Advocating its Termination, said: "As victims, we had no persona, we had no face. My

daughter Nina's death was sensational at the time, and yet we received little consideration as victims. What consideration, then, can the equally tragic, less publicized cases expect? All the programs, services and vast funding are focused on the defendant. There is little offered to the victim, and the little that is available is haphazard and underfunded."

Debbie Mahaffy, representing Canadians Taking Action Against Violence, after many conversations with families who'd been before the Criminal Injuries Compensation Board, indicated, "To profit from crime, the murder/violation of another human being, is quite a repulsive reality in Canada." She pleaded with members of the committee not to allow profiting from crime to go on in such a fashion.

Doug and Donna French, who are in the House with us today and who wrote a letter to every single member of this Legislature, said: "Several books are in the process of being written, as well a movie that is in the works. There are also TV shows wanting interviews in regard to these murders."

The fact that people want to profit from someone else's tragedy is disgusting. But the fact that the criminals themselves can profit from crime is an outrage. It exploits victims and their families and in fact promotes crime.

These families have been devastated by their victimization. They seek justice. Will they get justice? You in this House, all members, can find a practical solution and can begin with bills like Bill 85 and others, but there are going to be serious questions raised in the House. Is this bill constitutional? Of course the bill is constitutional if it's tied to sentencing and we give direction to our judges that during sentencing this should occur. This is occurring regularly in the United States. In 1989 they collected \$125 million just from recollections, because judges were directed by legislators like us to tie it as part of the sentencing that they cannot profit from their crimes.

Is this our jurisdiction? Of course it's our jurisdiction. Section 92.14 of the British North America Act gives our province the authority over our criminal justice system. We administer our courts. Section 92.13 of the act gives us sole responsibility over property and civil rights matters. It is clearly within our jurisdiction.

I want to implore all members of this House to consider the thoughtful arguments, but also to consider what the families have experienced. They come here today seeking justice. They are looking to you to help them find it. I look forward to the debate and will reserve some of my time for summary comments.

**Mr David Winninger (London South):** I'm pleased to rise today to join in the debate on this important matter. It's a long-standing principle of public policy that criminals not profit from their own wrongdoing. The purpose of this bill is a laudable one, and I hope

that the questions I may raise around the effectiveness of the bill or the enforceability of the bill or the constitutionality of the bill do not mask my complete sympathy with the spirit of the bill.

No one can fail to sympathize with victims and their families. All fair and civilized human beings would express repugnance that any monetary gain should flow from violating the rights of others or from taking the lives of others.

I would remind the House that Bill 85, put forward by the member for Burlington South, is essentially identical to a bill James Renwick, a much respected member of this House, a member of the NDP, put forward in 1982, in 1983 and again in 1984, under a Conservative government. This private bill, to use Mr Renwick's words, was stimulated by the immunity to prosecution granted Cecil Kirby by Roy McMurtry, the former Conservative Attorney General, but also incidents involving Clifford Olson and others.

In fact, Mr Renwick's legislation, essentially framed in the same terms, flowed out of what's popularly known as the Son of Sam legislation in New York state back in 1977 to bar criminals profiting from the fruits of their crimes.

When Mr Renwick's bill was referred before the justice committee in 1983, Mr Sterling, then I believe parliamentary assistant to the Conservative Attorney General, now chair of the Conservative caucus, appeared to speak at the committee on behalf of the provincial secretariat for justice. This is what he had to say:

"I would like to mention Mr Renwick's comments about the passage of his bill, to which I have already indicated I find a lot of attraction. I have done some work in the past year on that matter, but quite frankly I have not been able to come up with a workable piece of legislation that actually addresses the problem in any real way. It is a difficult one to put into place at the provincial level because you are dealing with cross-border problems and all the rest of it.

"I am not trying to shove it off to the federal scene, but perhaps it should be included with your next item about pornography and what is or is not obscene within the definition included in the Criminal Code. The situation is that I have just not been able to come up with a practical or good model to put it in place in law. I agree with the idea, but I do not know how to do it, nor can anybody advise me."

That was the parliamentary assistant to the Attorney General in 1983.

In 1991, the New York law I mentioned, the Son of Sam legislation, was struck down by the US Supreme Court on the grounds that it violated freedom of expression, including the freedom of the press, vouchsafed under the first amendment. One might well question what might be its fate, if we don't take great care with

this kind of legislation, if challenged under the Charter of Rights and Freedoms. We have to ask ourselves, will Bill 85 violate freedom of expression under the charter?

We also have to ask such essential questions as, would this legislation deter offenders from educating the public to avoid criminal conduct? Most people agree that it should not.

What about such books as *Go Boy*, which I believe won a Governor General's award, written by a criminal offender? Would this stifle that kind of important freedom of artistic expression? I don't know that. I'd be anxious to hear the views of the public on this.

We can't deal, for example, with contracts in other provinces, in the United States and elsewhere, so we're somewhat limited as a province in how we enforce such an act.

What about relatives, friends, witnesses and actual participants in crimes who aren't charged?

Independent authors: How do we deal with them and the fruits of crimes that they tend to capitalize on?

My colleagues are going to have other comments to make about the workability of this legislation and about alternatives such as amending the Criminal Code of Canada or uniform provincial laws. But I would say in conclusion that our government remains committed to the protection of society from serious offenders and to acknowledging and defending the rights of victims and we have proven our commitment and sympathy to victims with the reforms we have initiated already in the form of increased services for victims, expanding the victim/witness assistance program and removal of limitation periods for civil lawsuits, to name a few.

**Mr Tim Murphy (St George-St David):** I want to speak in favour of this bill. I was recently elected, and one of the things I wanted to do was to introduce a bill much like this. The member for London North spoke about Jim Renwick, who was the member for Riverdale and who in fact I worked for when he was a member here. During that period of time, he introduced a bill much along the lines of the one introduced here. It's one of the things I wanted to do as part of my work and the member for Burlington South has beaten me to it.

I will support his bill, because I think it gets at a problem that I've seen exist in the criminal justice system as a lawyer practising in that system, that far too often it's a system that revolves around what the accused has done and what the rights of the accused are, and not very often does it revolve around the victims and the victims' families and the pain and suffering that is inflicted on them by the criminal actions, and not just by the criminal actions but by whatever benefit can be obtained by others by those actions, by the accused or the convicted person, who can publish memoirs or sell the story to shows like *A Current Affair*, for example, that thrive on further victimization.



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I think this bill or something like it, depending on what the government is prepared to do in terms of constitutionality—and we can have arguments over that. I don't want to argue about that, because I think we can do it and I think the member for Burlington South is correct that we do have the jurisdiction to do this and it's the right thing to do.

I spent some time, along with the member for London North and the member for Burlington South, in the standing committee on administration of justice talking about victims' rights and victims' issues. We spent a lot of time in that committee. We haven't completed our report, but what we did was identify many areas which we believe need action to address the rights of victims in the system. I'm glad to see that some of the French family are here. We heard from other people who have been victimized by the criminal justice system, and their stories are sad and unfortunate ones.

It strikes me that one of our primary duties as legislators is to listen to stories of people who have been victimized by the very system and try to make changes to improve it. I think this is one area where we can have a real effect as legislators if we're prepared to work together. I don't believe this is a partisan issue. It should not be a partisan issue. The very fact that I, the member for Burlington South, and a previous member for Riverdale, Jim Renwick, were working on the same issue speaks to, I think, an all-party consensus that we can take some steps and move forward and help a group of people who have been somewhat forgotten in the criminal justice system: the victims, their families and friends.

I want to speak in support of this bill. I will vote for it and I urge the government to live up to the commitment that Jim Renwick started so many years ago—11, I guess—and to live up to its party policy and move on this. I think it's, as someone has said, the right thing to do. I thank the member for Burlington South for bringing this forward and I hope I'll be able to work with him on the justice committee to get this bill passed and into law.

*Interruption.*

**The Deputy Speaker:** Before the members from York Mills starts, I'd just like to tell the members in the gallery that you're most welcome here, but you must refrain from applauding.

**Mr David Turnbull (York Mills):** I'm pleased to rise today in support of my colleague the member for Burlington South and his private member's bill. I'd like to say I wholeheartedly support the principle behind Bill 85 and applaud the efforts of my colleague in this area, which date back to 1989 and to two attempts to establish a bill of rights for victims of crime. The first time it was thwarted by the Liberals and the second time by the NDP.

It is really offensive that criminals should profit financially for telling the stories of their heinous acts and fitting that this legislation would allow for those funds to be dedicated to pay for services for victims of crime.

I hope that the Attorney General, who I note is not present today, I regret, and this government will join our caucus and, I gather, the Liberals in support of the victims and their families. We must all work to eradicate violent crimes, but until that noble pursuit is realized this bill is a positive step which will entrench significant protection for victims of crime in Ontario.

It really is beyond belief that victims and their families can be made to suffer a second time as books, films and television programs force them to relive the ordeal. It is a sad comment on the human race that as long as human curiosity exists there will be a market eager for the sensational details of such horrific crimes.

We can't change human nature through legislation, but through this bill we can take an important step towards ensuring that those criminals do not profit financially from the pain and suffering they have inflicted. Let us take responsibility for victims of crime and vote in favour of this bill and its swift passage into law.

**Ms Jenny Carter (Peterborough):** I accept and endorse, as I believe does everyone here, the concern that has led the member for Burlington South to present this bill. I have two daughters and three granddaughters and I can at least begin to imagine the nightmare that some of you here today have undergone. Nina de Villiers's uncle is a constituent of mine and someone I know.

The idea that someone can become rich through telling about his or her own horrendous crimes is utterly repugnant. It seems sometimes that society is willing to spend limitless sums catching, trying and incarcerating a criminal who maybe becomes a burden on the taxpayer for life, while victims have been too often set aside and ignored.

However, we do need to look closely at what is being suggested here. In this society we value our democratic freedoms very highly and in real life things do not always come in neat, well-defined categories. We are all only too well aware of the kind of situation that my colleague had in mind when he drafted this bill, but not all cases are so clear. We do value free speech. We do value our right to know rather than to have reality censored. We do value the right of people who spend their time producing something that others wish to buy to be paid.

Too much public morality can damage freedom. Freedom, on the other hand, comes with a price. That price involves the right of individuals to act in ways which offend public opinion and often, indeed, public morality.

Sometimes people outgrow their criminal past. If this bill had passed into law as it now stands, Malcolm X would not have been able to profit from his autobiography, which includes reminiscences of an earlier life of crime.

Most of us would agree that Nelson Mandela was never a criminal in the real sense, but nevertheless he spent many years in a South African prison because technically he had been guilty of criminal activities. Should he not be able to profit from his memoirs, which are, after all, part of the history of his country?

What about environmentalists who have just incurred stiff prison sentences in British Columbia for acting on their own highest principles?

Evelyn Lau might not be able to profit from her bestseller *Runaway*, in which she tells the story of her life as a street kid and a prostitute, although it would be okay if she had made it all up.

Is violent material okay if it is fictitious? This bill would not prevent rock groups from profiting from lyrics about getting high and getting stoned, or movie directors from getting rich from invented stories about bank robbers, spies, drug addicts and murderers. In fact, stories based on real experiences are more likely than pot-boilers to have educational and artistic merit.

We censor our perception of the world we live in and our children's perception of it at our peril. In fact, some of our greatest literature and works of art have at one time or another been targeted by would-be censors. Shakespeare's *Merchant of Venice* and Mark Twain's *Huckleberry Finn* come to mind. Many nursery rhymes and fairy stories are violent. So, in part, is the Bible. History, alas, is violent, but we need to know it.

I know the member for Burlington South is not advocating censorship, but realistically, if people are going to spend their time writing, they need to be paid for it. To refuse to allow even reformed criminals to profit from reminiscences about their crime is to cut them off from employment that could well produce works of great social value while allowing them to support themselves. To limit profit would, in effect, limit freedom of expression. And how can we discriminate between the reformed and the unreformed criminal?

This legislation would possibly be regarded as unconstitutional because the wording is too broad to distinguish between the profit earned for reminiscences of educational and artistic merit and those which have no social value and merely exploit the sensational aspects of a criminal act.

The bill poses other constitutional problems in its lack of definition. Would a vaguely fictionalized account of criminal activities be exempted from the law? The Supreme Court ruled in the *Zundel* case in 1992 that any restricted content must be narrowly defined.

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To be effective, this bill needs to be more carefully worded to make it clear that it's directed only at preventing unjust enrichment from the sensationalist exploitation of crime. Ideally, it would be a federal bill or an amendment to the Criminal Code and be enforceable in all of Canada, but even a federal bill, precisely worded, would be difficult to enforce.

I hope the problems presented by this bill in its present form can be overcome, because I do agree with its general import.

**Mr James J. Bradley (St Catharines):** This is a piece of legislation proposed by the member for Burlington South that I wish I didn't have to speak on today because I wish it wasn't necessary to introduce it. But it obviously is, and it responds in a very meaningful way. Although there may be some in this House who are going to quibble about the details, and I think they can be sorted out very easily, it responds in a very positive way to the concern that I think the overwhelming majority of the public has about issues of crime, about issues of compensation of victims of crime, and about issues related to matters where those who have committed a criminal act can benefit from it in various ways.

Those of us in the opposition, including the leader of the Liberal Party, Lyn McLeod, Dianne Poole, my colleague the member for Eglinton, and myself, and members of the third party, have raised on numerous occasions issues related to crime, to the rights of victims, in general responding to what the public feels, and I think justifiably so, about the lack of adequate response to the crimes that are committed in our country, and of course we speak about our province.

The member for Burlington South has provided an opportunity for this House, albeit in only an hour today, to discuss these specific issues, but has also provided an opportunity for this to go to an appropriate committee to have input from the public and to make any modifications to this piece of legislation that are necessary to make it work. I think that is an opportunity that all of us in this House should most assuredly seize.

Society is repulsed by the fact that someone who has committed a crime can make a profit from that crime. We have seen so many examples of that on an international basis, and most recently we have had concerns expressed in the case of some very unfortunate murders that have taken place right here in our own province.

It goes along with another issue we have talked about, and all members of this House have been repulsed by this as well, and that is the issue of collector cards now being put out by an American company that glorify and feature in a very public way those who have been involved in crimes which have gained some international publicity. Again, all of us feel revolted by that particular initiative on the part of that company. It's



important that we as elected representatives not only speak out about these matters but endeavour to put forward legislation which is going to deal with them in a meaningful way.

Too often, as I think all members recognize, the victims of crime in our society have not had the kind of attention we would like to see given to them. Very often the attention is to those who have committed the crime, ensuring that they are adequately represented in court, ensuring that they have a fair trial.

Well, there are people in the gallery today who have gone through a very difficult experience. I am from St Catharines, as members know, and Donna and Doug French have gone through what none of us would want to go through. They're sitting in the gallery today. They have been part of a community effort to heal the wounds that have resulted from the very tragic death of their daughter. On so many occasions they've been called to play this role and have of their own volition played this role. I am certain that just as I would prefer not to be speaking on this bill, Donna and Doug today would prefer not to have to be in this gallery. It is an event which has traumatized our community, our province, our country, and even those you talk to beyond our borders. It is the kind of issue that I think transcends partisan considerations. It is the kind of issue which certainly has the overwhelming support of the public in backing members of this assembly and other elected bodies to deal with it.

I can recall when the provincial budget was coming down in this House and we were preoccupied with it that day. Well, that day for the people of my community was an extremely sad day, as it was for members of the family and the many friends, the extended family now, of Kristen French, because that was the day it was announced that Kristen had been found. All of the important items that we had in this House, all of the tax measures, all of the expenditure measures, meant nothing to the people in our community compared to the outpouring of support and sympathy and sadness that we saw on that particular day in St Catharines.

It seems to me that we owe it to the victims of crime, that we owe it to those who have a sense of justice, to bring forward legislation which is going to prevent those who perpetrate crimes from benefiting in a financial sense from that.

I think we recognize as well that there's general support for providing the police forces of this province with the necessary resources to fight crime. There's a recognition that there are other causes of crime as well, but we cannot neglect the fact that we need those resources. The green ribbon team that was put together to deal with the Leslie Mahaffy murder and the Kristen French murder worked extremely hard and I'm sure would like to have had even more resources to deal with those particular crimes. We support them in those

efforts, and I think we have to provide our police forces with those necessary resources.

It is one thing to pass a private member's bill, and I would think we would probably have general consensus today to pass the bill proposed by the member for Burlington South, but the real test will be what the government does with that bill; not the fact that we nod our heads in the House today or vote in the House today, but where it goes from here, where it goes from this initiative. I would certainly urge the government to move forward with the bill to ensure that it goes to the committee that the member asks it goes to, to ensure that it is moved along quickly so we can deal with this problem in an expeditious and meaningful manner, as we should.

There's a dissatisfaction out there in the public with the fact that people don't feel they can get to their legislators, that their legislators aren't always dealing with issues that they consider to be important. The public feels helpless because they, of their own volition, of their own initiative, cannot bring about those changes, so they look to us, who represent them in various legislative bodies, to ensure that we bring forward the necessary legislation and regulations to deal with the issues that they consider to be important.

Let's not quibble over the details. Let's not quibble over whether it's constitutional or unconstitutional at this point. Let's develop, let's work with this particular initiative to ensure that it will be constitutional, that it will pass the legal tests and it will achieve what the member for Burlington South and so many of us in this House have hoped it would achieve in the long run.

The member for Mississauga East, who is an independent member, doesn't get an opportunity to speak in this House ordinarily, and I am going to yield some of the time of the Liberal caucus to the member for Mississauga East so that he can participate in this debate as well. I do urge all members of this assembly, for the sake of the victims, for the sake of their families, for the sake of our society, to support this initiative, to work with the member for Burlington South and others to ensure that we deal in a meaningful fashion with this most important bill and with this most important general issue. We owe it to those in our society who have been the victims.

1140

**Mr Gary Carr (Oakville South):** I didn't know the time was yielded yet. Like the previous speaker, I'm not pleased to have to participate in the debate because of the circumstances, but I did want to get on the record. I want first of all to thank the member for Burlington South for bringing this forward.

I'm pleased to speak here today. Yesterday, I introduced a petition with about 1,100 names on it. Those people asked me to speak on behalf of this bill and to support it.

There is no way that criminals should profit from criminal activity. Our task force has gone out across the province. We've heard from numerous people across this province, and they are fearful of what is happening. People out there are saying that this bill should be passed, and I would encourage all members to do that.

It's often been said that victims of crime are victimized twice, once by the criminal and once by the criminal justice system. To those members who say we should look at this as an issue of the Charter of Rights, I say let them decide. We're legislators. If the Charter of Rights and Freedoms strikes it down, so be it. Our job in here is to write legislation and to pass it, and I would encourage you all to do it.

I also believe we should introduce the Victims Bill of Rights Act again. Parts of this I believe are tied to that, as the member said. I also believe we should pass the former Bill 85, which dealt with registration of sexual offenders. I think that should be done.

I spoke about this issue to a group of students in a high school on Friday. I explained the bill to them and they all said to me: "Well, of course you're going to pass this. Why would anybody not want to pass it? Would you go to the Legislature and make sure the members all see that this bill should be passed?"

I say to the members on the opposite side, because I think there's agreement between the Liberals and our caucus, listen to the people. They want this passed. If it gets struck down as a result of the Charter of Rights and Freedoms, there's nothing we can do anything about it, but we in this Legislature get very few chances to make an impact and make a decision on our own for the betterment of this province, and I believe this is one chance to do it.

Part of my riding, as you know, dips into the Burlington area; of course we were touched by the tragedies there. If you don't believe in doing it for yourself, think of the victims and their families, because they are the ones who are going to suffer if this isn't passed.

If we pass this bill, I believe what will happen is that it will make criminals think twice about doing it. When somebody commits a crime, some of the violent, terrible crimes that have gone on, there is no way that person should profit. What this will do is allow that money to go to the victims.

I think there's agreement on all sides here, Liberals and Conservatives and NDP, that our victim services in this province are woefully inadequate. Similarly to what happens in the United States where they take some of the drug money and put it back into drug prevention, this will take some of the money that would go to the criminals and put it back for the victims. We in this province need to speak on behalf of the victims, for once. We have an opportunity to do that today, and I would encourage all members to do it.

Bill 85 proposes an alternative way of funding these victims' services. We all know we're broke: We don't have much money; there isn't too much money around for anything in this province. This would allow us a way of getting money to the victims. Hopefully, at the end of the day, it will prevent some of the repeats of what's happening, because the victims are going to be victimized twice, once as a result of the act and, secondly, by it being published.

There's not a heck of lot of time here today, but this proposed legislation, if passed with the support of this government—and we need your support, I say to the members across—will entrench a significant protection for the victims of crime in Ontario.

It won't be the end of it. It won't be the end of all the problems with victims, and hopefully the Victims Bill of Rights Act will be passed, but it will be a good first start and I'll be able to go back to the high school students who said to me, "Please pass this," and I'll be able to say to the 1,100 people who sent in the petition that indeed the people of this Legislature did listen.

I know you're all here to try to make an impact. I think this is one of the few opportunities to do that and I would encourage you to do it. This would represent an important turning point, I believe a very important turning point, for the rights of victims in the province of Ontario. I'm asking on behalf of the victims, on behalf of all the victims and their families, some of whom have the courage to come here today, please have the courage to support this piece of legislation. I believe if we do that, we in this Legislature will have made an impact and we will have done something progressive for the people of this province. To the members who may be thinking about it, I would encourage you strongly: Please consider this piece of legislation. I think it's a good one.

Again, on behalf of my caucus and the members of all the Legislature, I want to thank the member for Burlington South, who has brought this to the Legislature today. I will be supporting it and I hope everyone in the Legislature will.

**Mr Gordon Mills (Durham East):** It's a pleasure to stand in the House today and speak with respect to Bill 85, introduced by the member for Burlington South. I've got a little over three minutes left. I wish I had 30.

I can bring some unique perspective to this debate today, having been a police officer for over 20 years and having investigated numerous cases of assaults on people, crimes, bodily harm, not only in Canada but in Europe and also in the Middle East, so I can attest to the trauma that folks who have been subjected to this type of thing have gone through. Indeed, I have a great deal of empathy with those folks, having seen how it affects people over my police career.

I think we are elected to come to this House to serve the people. In my honest estimation, I think that



although this legislation has some flaws in it—personally, I wonder if it can survive a charter scrutiny; nevertheless, that's not for me to decide—we, as elected members of this Legislature, have the onus put upon us by the electors to share their concerns and to do something about things that are wrong.

It's absolutely repugnant to me that anybody should benefit in the least possible way from crime. Therefore, I'm prepared to address those issues, hopefully as this bill goes forward, because we have to come to grips with this terrible problem in Ontario and perhaps across Canada. I remember how I felt, the repugnancy I felt, when there was some suggestion that Clifford Olson was somehow going to profit from those dreadful murders out in British Columbia.

Personally, I'm prepared and always have been, not only to go the extra mile to make this work, but to go the extra five miles to make this work, because I think we have that duty as elected members to represent the public and to get this thing right once and for all.

There will be some valleys and hills in this; I've no doubt about it. It will cause quite a lot of debate about whether it's right. New York's Son of Sam will be an issue there. The principle of victims suing the accused to collect funds held by the board is contrary to the way we do things now. Nevertheless, all these obstacles, I feel, can be overcome with the cooperation of every member in this House.

This isn't a partisan issue, and I refuse to take a partisan stance on that. I'm going to support the member's Bill 85.

**Mr John Sola (Mississauga East):** I would like to congratulate the member for Burlington South for his initiative, but also at the same time, I'd like to thank the member for St Catharines and the Liberal caucus—

**The Deputy Speaker:** Excuse me. You will have three minutes and 34 seconds, I believe, which is remaining. Would you please check the clock? Two minutes, 49 seconds for you, sir, the member for Mississauga East.

*Interjection.*

**The Deputy Speaker:** I had the feeling that it was agreed, but obviously it wasn't, and I will ask unanimous consent that the time given by the member for St Catharines be allocated to the member for Mississauga East. Agreed. The member for Mississauga East, you have two minutes and 49 seconds to make your presentation.

**Mr Sola:** Thank you, Mr Speaker. I'd like to congratulate the member for Burlington South for coming up with this initiative, and also the member for St Catharines and the Liberal caucus for giving me the opportunity to speak on this matter.

I must say, though, that I'm a little bit disturbed by the comments of the member for Peterborough. I hope

I misunderstood what she said, because the way I understood her remarks was that artistic merit and profit were to be considered at the expense of the victim and family, and that I find unconscionable. I hope I misunderstood you, because I was trying to gather my thoughts for my few remarks.

The importance of Bill 85 is not in the detail; it's in the principle. I would suggest to anybody who has problems with it as it is written, let's iron out the details in committee. But I think the principle of the bill is what is most important.

1150

Since most of the ideas that I was going to say have been stated, I want to concentrate on another aspect of this bill, and that is that this bill may be the first step in changing our mindbent or our mindset about criminals, about the justice system, about the rights of criminals and the rights of victims and the family. That may be the biggest contribution that this bill will have both to this province and to this country.

I think maybe we should start thinking of balancing rights with responsibilities. You know, this bill is very timely because I just went through today's daily papers, the *Toronto Star*, the *Globe and Mail* and the *Toronto Sun*, which are the only ones I've got, and I was reading about the case of the father who went to protect his son when he found out that his son had been molested.

The most disturbing aspect of this case was when I read about the position of the crown attorney. The crown attorney in this case asked that the father, who was defending his son who had been sexually molested, get the same sentence that the offender had received, and that I find unconscionable. The further disturbing fact about this case is that the father, who was doing his duty in protecting his family, is sentenced to get counselling and is forced to pay for his incarceration while the offender gets it at taxpayers' expense.

**Mrs Elizabeth Witmer (Waterloo North):** I would like to offer my sincere congratulations to my colleague the member for Burlington South. For many years he has devoted much time and a tremendous amount of effort on behalf of the victims of crime. He introduced the private member's Bill 19, An Act to establish the Rights of Victims of Crime, and now we have here today private member's Bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime. He is to be congratulated for his dedicated efforts to help the individuals who have been impacted by tremendous changes in their lives.

As he has indicated, this bill does change, fortunately, the emphasis on crime in this province. It is time to start to focus on the rights of the victims of crime, victims who for so long have been totally ignored by the justice system. This bill would ensure that criminals do not profit or become millionaires through the sale of

their recollections or for interviews or public appearances, but instead that the money would be paid to the Criminal Injuries Compensation Board and that that money would be used to assist the victims of crime.

As you know, there has been widespread and very strong community support for this legislation. Indeed, we have introduced petitions this week with thousands and thousands of signatures indicating support. Our PC caucus has a task force and we are hearing from people across this province that it is time to focus on the rights of the victims of crime.

I would encourage the government to support this legislation. I would say to those of you who have indicated this morning that you are not going to do so, your concerns can be addressed. I would remind you that if you take a look at the employment equity legislation, it is in conflict with the human rights legislation and you were able to get around that. I would remind you that this is not about censorship but it is about profiting from crime. If this government is truly committed to the principle of this bill, then all of your concerns can be dealt with.

It is time to remember that horrible crimes are being committed in this province. It is totally unacceptable to continue to celebrate and allow individuals to profit from such brutality. Yet, in the aftermath of these tragedies, at the present time we have one of the most horrific stories of criminal victimization of our time taking place and about to take place.

We know that murderers are going to become millionaires, many times over perhaps, through the sale of their recollections of their crimes. We cannot allow this to happen. We must listen to the citizens in Ontario who are asking us to lead, to pass legislation and to make laws that will protect the victims of crime.

I ask you today to support this legislation because this passage will represent an important turning point for the rights of the victims of crime in this province. I urge you to support its referral to the justice committee for public hearings, where your concerns can be dealt with and we can hear from the public. Please give the public an opportunity for input. We owe it to all the victims of crime and their families who have suffered so much.

**Mr Ted Arnott (Wellington):** I'm pleased to rise for approximately a minute to add my support to this important private member's bill, Bill 85. I want to congratulate the member for Burlington South for bringing this forward. This bill builds upon the work that he has done over the last number of years.

The former member for Wellington, Jack Johnson, also did a private member's resolution, I recall, back in about 1988, which identified the problem of the Criminal Injuries Compensation Board not having the resources to in any way adequately redress the victims of crime. He called upon the Liberal government of the

day to do something about it. Nothing was done.

It's important that we do not glorify these heinous crimes that have been committed over the last number of years. I must be critical of the news media and certain book publishers who have taken steps to in a way glorify these crimes. It's absolutely appalling that this is done. This bill in an important way—any of that money that is generated will in fact go back to the victims. I think it's a very, very important step that's been taken by this House and I hope all members will support it. I urge them to do so.

**Mr Jackson:** First of all, let me say that yesterday I had the opportunity to spend two and a half hours with the Attorney General of this province while we were in committee together. We sat together and we had an opportunity to talk about this bill.

I shared with the minister the personal letters, the concerns expressed, the pain and the misunderstanding the victims in this province have about our criminal justice system. The minister told me that in today's vote this was private members' hour, that the private members in her caucus would decide and that Mr Winninger, the member for London South, would carry the government's arguments for or against this bill.

I wish to thank all those members who spoke positively, who spoke with hope and, most importantly, who spoke with understanding about what this bill will really do. But I must respond to the comments of the member for London South, who apparently is carrying the government's arguments today.

I must say that no jurisdiction on the face of the earth prides freedom of speech more than the United States. The Supreme Court in the United States has tested the Son of Sam legislation that has permeated into several jurisdictions. Our charter will uphold this legislation if we tie it to sentencing.

I implore you and your government to consider the phrase, are criminals truly going to pay their debt to society—to pay their debt to society—while they're sentenced, while they're found criminally at fault? That is our system of justice and somehow we have lost our understanding that they must pay their debt to society.

We in the Conservative Party have said we want that expanded so that our justice system understands that they pay their debt to those families and those persons they victimized. That is what's at the core of this.

The member talked about a book that was published by a criminal. The member should know that the proceeds of that book were dedicated to advancing the cause of victims' rights in this country. That is what this is about: taking those revenues that your minister says she doesn't have to help victims in this province.

We have an opportunity today, in a non-partisan way, to build on this bill. I'm asking that it be referred to the standing committee on social development, because



quite frankly the standing committee on administration of justice is backed up with a lot of legislation, including Bill 79, which suspends the civil rights of some citizens in this province who are law-abiding.

I'm asking that this bill be referred to the social development committee, wherein it has time so that we can deal with it, to bring the victims' families into committee and to hear from them at first hand, that all of us can hear from them, that we can turn a page in our criminal justice system here in Ontario and make it more sensitive and more responsive and to allow the victims to have more standing in the process. We use the victims to catch criminals, but then we abandon them as soon as the justice system takes over.

I implore all members to support this bill. We have a great opportunity today to demonstrate that we remember those who died violently, unnecessarily and tragically and that we are listening to those families who remain today as their sole voice. I ask you to remember the words of Priscilla de Villiers two months ago in this building, because she warned all of us. She said, "Believe me, everyone is a potential victim in this province."

**The Deputy Speaker:** The time for private members' business has expired.

#### MINING INDUSTRY

**The Deputy Speaker (Mr Gilles E. Morin):** We will deal first with ballot item number 29 standing in the name of Mr Miclash. If any members are opposed to a vote on this ballot item, will they please rise.

Mr Miclash has moved private member's resolution 24. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members, a five-minute bell.

*The division bells rang from 1203 to 1208.*

**The Deputy Speaker:** Mr Miclash has moved private member's resolution number 24. All those in favour of the motion will please rise and remain standing.

#### Ayes

Arnott, Beer, Bradley, Brown, Caplan, Carr, Cousens, Curling, Elston, Eves, Fawcett, Grandmaître, Jackson, Johnson (Don Mills), Jordan, Kwinter, Mahoney, Miclash, Murdoch (Grey-Owen Sound), Murphy, Offer, O'Neill (Ottawa-Rideau), Poole, Runciman, Ruprecht, Sola, Sterling, Stockwell, Tilson, Turnbull, Villeneuve, Wilson (Simcoe West), Witmer.

**The Deputy Speaker:** All those opposed to the motion will please rise and remain standing.

#### Nays

Abel, Akande, Bisson, Carter, Cooper, Haeck,

Hansen, Harrington, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lessard, Malkowski, Mammoliti, Marchese, Martin, Mathysen, Mills, O'Connor, Rizzo, Sutherland, Wessinger, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood.

**The Deputy Speaker:** The ayes are 33; the nays are 29. I declare the motion carried.

#### PROCEEDS OF CRIME ACT, 1993

#### LOI DE 1993 SUR LES GAINS RÉALISÉS À LA SUITE D'UN ACTE CRIMINEL

**The Deputy Speaker (Mr Gilles E. Morin):** We will now deal with ballot item number 30 standing in the name of Mr Jackson. If any members are opposed to a vote on this ballot item, will they please rise.

Mr Jackson has moved second reading of Bill 85, An Act to prevent unjust enrichment through the Proceeds of Crime. Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 94(k), the bill is referred to the committee of the whole House.

**Hon Fred Wilson (Minister without Portfolio and Chief Government Whip):** Mr Speaker, the standing committee on administration of justice.

**Mr Cameron Jackson (Burlington South):** Request that it be referred to the standing committee on social development.

**Mr David Winninger (London South):** It should go to justice.

**Mr Noble Villeneuve (S-D-G & East Grenville):** Justice has got more than it can handle.

**Mr David Tilson (Dufferin-Peel):** They've got all the other bills. Why not? One more won't hurt them.

**Mr Jackson:** Mr Speaker, if this government's committed to referring it to the justice committee—and it will die in the justice committee—then we on this side of the House would be pleased to work on this bill in the justice committee. I support that motion.

**The Deputy Speaker:** Which committee?

**Mr Tim Murphy (St George-St David):** Social development.

**Interjection:** Justice.

**Mr Murphy:** Justice is full.

**The Deputy Speaker:** Order, please. Mr Jackson, you mentioned the justice committee.

**Mr Jackson:** Mr Speaker, I have to ask your guidance in this matter. Which referral motion are you accepting, that of the government, which you recognized before I was on my feet, or my motion to refer it to the social development committee?

**The Deputy Speaker:** Make your motion.

**Mr Jackson:** My motion is that it go to the social

development committee, which has the time to deal with this bill and it can become a law in the province of Ontario.

**The Deputy Speaker:** Shall this bill be referred to the social development committee? All those in favour of this question will please rise and remain standing. Thank you. Please take your seats. A majority of the House being in agreement with the request of the member, this bill stands referred to the social development committee.

All matters relating to private members' public business having been completed, I do now leave the chair and the House will resume at 1:30 of the clock this afternoon.

*The House recessed from 1214 to 1330.*

#### MEMBERS' STATEMENTS

##### CANADIAN FOSTER FAMILY WEEK

**Mrs Joan M. Fawcett (Northumberland):** The Liberal caucus would like to join the Ontario Association of Children's Aid Societies in recognition of this week as Canadian Foster Family Week.

The goals of the week are to pay tribute to the work of foster families and to draw public awareness to the continuing need for foster families that provide a caring and stable environment for children in need of temporary care.

In Ontario, the children's aid societies provide substitute care to more than 20,000 children throughout any one year. This is made possible by the contribution of nearly 5,000 foster families in Ontario.

In my own riding of Northumberland, we have approximately 45 foster families that provide a safe and caring home to children in need. This week, at the Northumberland Mall, as I'm sure is happening right across the province, an awareness campaign is taking place to tell everyone of the rewards of being a foster parent.

Unfortunately, the need for foster families continues to rise. There is a critical need for all of us to do what we can to maintain and enhance Ontario's invaluable foster care system. Children are our most valuable resource and we cannot do enough to ensure their safety.

Please join me in congratulating all CAS agencies and foster families throughout the province in the work they have done and do to help protect our children. We hope that your campaign to recruit more foster families is a successful one.

##### TAXATION

**Mr Bill Murdoch (Grey-Owen Sound):** The increase in level of new taxes since the NDP socialist government gained power has been well documented. Most people are aware that taxes have been raised by \$3 billion a year since 1990, or \$663 for the average family. What many people do not know is that the

government is taking far more than that from the people of this province, but it is doing it quietly through user fees, rather than through direct taxes.

The police village of Priceville, with a population of fewer than 200 people, is a friendly community which cares about its people and which is proud of its appearance.

Like all socially conscious areas, it declared itself a Neighbourhood Watch community, where families look out for each other and put up signs to that effect.

However, as it turns out, this NDP socialist government, through the Ministry of Transportation, saw an opportunity to make a little money from the people of Priceville and charged them \$160 for the privilege of erecting the signs.

Now Priceville wants to place flower boxes on the bridge railings to beautify the village and once again the ministry has demanded another \$160 as an encroachment fee.

When a government sinks as low as to tax Neighbourhood Watch signs and village flower boxes, I feel that it has lost any remaining shred of common decency and has shown the true depth of its desperation.

##### THE NORWESTER

**Mr George Mammoliti (Yorkview):** I rise today to tell the members of the Legislature about the new independent community newspaper called the Norwester. The Norwester is published monthly by the Norwester Community Newspaper of Downsview-Weston, a non-profit corporation. It has a circulation of 4,000.

This newspaper serves the northwest area of North York, an area bounded by Highway 401 to the south, Islington Avenue to the west, Steeles Avenue to the north and Keele Street to the east. This includes my riding of Yorkview.

The purpose of the newspaper is threefold: first, it is to be the voice of the people in our community; second, it is to be the impetus for the social change that is so drastically needed in some areas; and thirdly and finally, the newspaper is here to tell the real story of our community.

I rise today to honour the individuals who have taken the time out of their busy schedules to do this task. I'd like to honour at this point the board members: Mohammed Abid, Gilford Allen, Michele Campanaro, Darlene Clarke, Marie Cemy, Tom Kear as chair, Warren Lee as treasurer, Shirley Sankar, Brent Mackinnon as secretary, Ruth Morris, Peggy Gemmell and of course Dan Hoddinott.

I think it's also very important to tell the members of this Legislature that for this community, Yorkview, this community newspaper will prove to be very positive in not only the near future, but let me tell you that this for me is very important.



## JOBS ONTARIO COMMUNITY ACTION

**Mr Hans Daigeler (Nepean):** Recently, I asked my staff to get detailed information on the government's much praised Jobs Ontario Community Action program. At the back of the government's fancy advertising brochure for this initiative, there's a 1-800 number to call for further information, just for the purpose that I asked my staff to use.

We called this number. Guess what they said? They said: "Sorry, but we can't help you. The ministry has never sent us any information. We are actually a small business hotline and the government just asked us whether they could use our number, but sorry, we can't help you."

What kind of help is this? You call the government's own 1-800 number and they don't have any information on a program that's supposed to bring back economic prosperity to Ontario.

I think this incident is symptomatic of the bureaucratic mess surrounding the Jobs Ontario initiative. There've been lots of fancy brochures and press releases. In fact, every Friday I get a ream, a stack of faxes on Jobs Ontario, but mostly it's just advertising and very few long-term jobs created.

No wonder the public has lost faith in the NDP government. How can the NDP government revitalize the economy if it can't even set up a 1-800 information line?

## HIGHWAY SAFETY

**Mrs Elizabeth Witmer (Waterloo North):** It is absolutely shocking and totally incomprehensible that the Minister of Transportation has decided not to take any action whatsoever to put median barriers, even temporary barriers, along the Conestoga Parkway in Kitchener-Waterloo until 1996. This is absolutely unacceptable.

Indeed, the minister has never even been courteous enough to respond to my letter of July 19 inviting him to see first hand why this issue is of such importance to the people who use this highway.

Since 1990, this stretch of road has claimed seven lives. Even though a coroner's inquest in 1991 into the death of Laurie Brain recommended that barriers be installed, even though thousands and thousands of people have signed petitions started by the friends of Ryan Short and Derek Fiddler urging the minister to install barriers before one more person dies, even though municipal councils and the Waterloo County Board of Education have asked for the reallocation of the money intended for sound barriers to the immediate installation of barriers, this minister has not listened and has said no.

He says it is because of a shortage of money, and yet he has found \$800,000 per kilometre of funds to install sound barriers, the same cost as that for median barriers.

Minister, where are your priorities? How many more people will die before 1996? I urge you to reconsider and take action now.

## CREDIT UNIONS

**Mrs Karen Haslam (Perth):** Today is International Credit Union Day. The theme for today's celebrations is "The Power of Partnership." This is not just a slogan; it is an integral part of the credit union movement. By combining the resources and efforts of millions of people, credit unions help people work together to help each other.

Credit unions have earned their importance by providing the services its members need. Traditionally, they have kept flexible hours and serviced the small communities and remote areas where other institutions were unable or unwilling to meet the needs of the community.

Today, more than 42,000 institutions in 87 countries have a total membership of 89 million and assets of almost \$500 billion. It is the largest self-help movement on earth. We can all be proud of the innovations introduced by Canadian credit unions: automatic banking machines, daily interest savings accounts, and of course weekly and biweekly mortgage repayment schedules.

The credit union movement has shown the remarkable potential of people working together in partnership, and I commend them on this today.

1340

## PROCEEDS OF CRIME

**Mr James J. Bradley (St Catharines):** In the House this morning, something happened that ordinarily doesn't happen, and that is that a piece of legislation proposed for the House has in fact received what was apparently unanimous consent of the House, hearing no words of dissent when the vote was taken.

Members expressed their revulsion at the thought that perpetrators of crime could profit, for instance, from selling their stories to the news media or in other places. The families and supporters of the victims of crime were present in our gallery today to view the debate, to listen to the various arguments put forward and to form an evaluation of this process in their own minds.

If our Legislature is truly to respond to what the average person is saying in this province, we will move forward with this bill. It is easy to give consent in private members' hour. It is easy to give consent to have the bill go to the social development committee.

I urge the government to move further, to ensure that this bill passes with any necessary modifications, and I urge the government to once again look at initiating legislation within the purview of the provincial Legislature to stop the collector cards which feature criminals from entering and being sold in this province. We have the opportunity. Let's move now.

## ROYAL COMMISSION ON LEARNING

**Mrs Dianne Cunningham (London North):** My statement is directed to the Minister of Education and Training. On Monday and Tuesday, October 18 and 19, I attended the Royal Commission on Learning public hearings in London. Since the commission was announced on May 4, I have heard many complaints from my constituents on the inefficiencies of this commission and I'd like to bring them to the attention of the minister.

Those who had requested to make a presentation in London were not notified of their time slot until a few days before, making it more difficult for them to rearrange their schedules. I requested an agenda for the two days so that I would know which of my constituents and which education organizations would be making a submission. My constituency office did not receive the agenda until Monday morning at 10 am, three hours before the hearings were to begin. Most presenters were only allowed 10 minutes—totally unacceptable if people are really interested in listening.

We had numerous complaints about the behaviour of one of the commissioners and his questioning. According to many presenters, he was unprofessional and disrespectful during his questioning.

In London, the panel was divided into two panels consisting of only two commissioners. Presenters worked very hard to put together their best advice, their real concerns and their desire to be helpful on issues that are of real importance in education. Their presentations were worthy of the time, interest and questions of all commissioners.

We have had five major studies in education since 1986, with 44 councils in the Education and Training ministry alone. The Royal Commission on Learning will cost taxpayers \$3 million and will not report until December 1994, just in time for the next provincial election. What a waste of time and money.

## LANDFILL

**Mr Donald Abel (Wentworth North):** I have recently received several letters from the 10th Dundas Guiding Unit at Knox Presbyterian Church in Dundas. These guiders are working on their second-year "My Community Challenge" badge, and part of that challenge is to write a letter about an important community issue to people they feel can help. They decided to write to the Premier of Ontario, the Minister of Environment and Energy, and myself as their local MPP about a proposed 200-acre megadump in our community.

Assistant guide leader Allyson Wenzowski, the guiders from 10th Dundas and thousands of area residents are genuinely concerned about the devastating effect this megadump could have on our community.

Ten-year-old guider Jennifer Harmer wrote: "The junk will soak through the land.... It will be in our drinking water and we'll get sick." Jennifer's colleague

Anne Michelle Skinner wrote, "I don't want to live in a place where the ground has been contaminated and has ruined a place where it was really beautiful." Elizabeth Young: "If this happens, Dundas, the beautiful valley will be destroyed." Amanda Cain: "Please don't destroy our land. The drinking water will make people very sick." Julia March, "I just don't want people to get sick." Candace Pellerin and Emma Doyle fear the toxic leachate will "poison the water," and I believe them to be correct. Finally, Jennifer Young wrote, "If a 10-year-old cares this much about the issue, imagine how much grown-ups care."

These young hearts are reaching out to us because they feel we can help. As Nicole Butler wrote in her letter: "Please save our town. We are desperate." I want to make it clear to everyone in this Legislature that Nicole Butler is absolutely correct. Thousands of people in Wentworth North are frightened and desperate.

## ORAL QUESTIONS

## CANCER TREATMENT

**Mrs Barbara Sullivan (Halton Centre):** My question is to the Minister of Health. Last Monday, the Minister of Health told the media that she had authorized the recruitment of cancer specialists from outside of the country to deal with the shortage of trained specialists in Ontario. She said she'd done that a month ago, but today we learn that Immigration Canada is not aware of Ontario's need for radiation oncologists; it has not been contacted.

I'm asking the minister if she will tell us exactly what she did one month ago to ensure that the recruitment of radiation oncologists would start immediately.

**Hon Ruth Grier (Minister of Health):** I'm happy to say to the honourable member that when the decision was made that this was the policy we were going to follow, certainly the cancer treatment centres were aware of that and have begun to recruit specialists and Immigration Canada was advised that this was our policy. But let me say to the member that this is not a "We've opened the doors; come one, come all"; this is a very carefully managed employment of people to meet the needs of the existing cancer treatment centres. So the treatment centres will be interviewing and making offers of positions to experts and we will then be working with them and with Immigration Canada to ensure that those people are admitted to Canada for the purpose of filling those positions.

**Mrs Sullivan:** I remind the minister that she is the Minister of Health and she has responsibility to ensure that people have access to service in Ontario and that the equipment and people are in place to provide that service. She has admitted and we all know that there are not enough cancer specialists in Ontario at the current time. It's clear that her government's policies are causing the new specialists whom we have trained in Ontario to leave the province. It now appears that she



herself has done nothing to recruit doctors from outside of the country to Ontario.

She could have called the College of Physicians and Surgeons of Ontario to tell it that she admits that there is a shortage and to ask it to review its applicant list of people who want to be licensed in particular specialty areas for practice in Ontario. She could have called Immigration Canada to tell it to put radiation oncologists on the list for designated occupations for entry to Ontario. She could have sent recruiters to medical job fairs in other countries. She could have contacted medical societies in other countries where there's a known supply of specialists to seek their support and cooperation in meeting our needs. She did not do any one of these things.

I am asking again, what, if anything, the Minister of Health has done to ensure that the shortage of radiation oncologists in Ontario does not continue.

**Hon Mrs Grier:** Let me point out to the member that a decision of this moment is an important decision, given our agreement with the Ontario Medical Association about the restriction on people entering this province to practise medicine. I can assure her and the House that that decision was not taken by me unilaterally or by the ministry without extensive discussion with the cancer treatment centres and the College of Physicians and Surgeons. So what she says I haven't done, I think reflects in fact the member's lack of familiarity with how in fact the system operates.

Having agreed that yes, in fact, we would admit out-of-country experts to meet these needs, the cancer treatment centres then begin the recruitment. It's they who will be employing these people. It will be the college that will be certifying that in fact the credentials are appropriate. What we did was write to Immigration Canada informing it of this change in policy and alerting it to the fact that there would be contracts offered and that we would be, as I said in answer to my first question, supporting the applications of people coming from overseas to fill these vacancies within Ontario.

1350

**Mrs Sullivan:** Immigration Canada is not aware of any connection and any request made by this ministry with respect to the request for entry and admission to Canada and to Ontario of radiation oncologists. They have not received any communication from this government today. Furthermore, the minister has said today that the only thing she has done was to advise the cancer centres that they are going to be allowed to recruit. There were other steps that she could have taken and I have indicated what some of those are.

People in Ontario expect to be able to get the care they need when they have cancer. Cancer will touch two out of three families in Ontario. They have an expectation that the care they require should be available to them when they need it. On Monday you said that you

had started to recruit foreign doctors last month. People expect that when you say you started last month, you have done so, not tomorrow, not next week, not next year. When are you, yourself, as Minister of Health, going to start to take the steps so that we can ensure that the shortage of specialists we need in radiation oncology is dealt with as soon as possible?

**Hon Mrs Grier:** I'm sorry to keep having to disappoint the member but a month ago we indicated that yes, we were prepared to accept the recruitment of foreign graduates to fill the vacancies in our oncology program, because like the member, we believe that the people of Ontario have a need and have a right to cancer treatment and we are moving to make sure they get the help they need. So what we did was say to the treatment centres, "Yes, you can begin recruiting."

I'm again sorry to disappoint her, but I understand that the Ontario Cancer Treatment and Research Foundation is currently in the process of recruiting three specific individuals and that those candidates are now being assessed by the Royal College of Physicians and Surgeons of Canada.

I don't know who the member spoke to at Immigration Canada. I suspect the minister is on the campaign trail and may not have been there to read his correspondence and take the call, but I can assure her that Immigration Canada has been informed officially that this is now Ontario's policy, and that when contracts or positions are offered to foreign-trained radiation oncologists, the province of Ontario wishes Immigration Canada to allow them to enter the country.

**Mr David Turnbull (York Mills):** On a point of order, Mr Speaker: We have approximately just one third of the NDP caucus here, and this is happening time and time again in question period—

**The Speaker (Hon David Warner):** The member does not have a point of order. He knows that full well. Could he please take his seat. The member for Scarborough-Agincourt.

*Interjections.*

**The Speaker:** Order. The member for Scarborough-Agincourt has the floor.

**Mr Turnbull:** You are being paid for a job and you're not turning up. They should dock your pay for that.

**The Speaker:** Would the member for York Mills please come to order so the member for Scarborough-Agincourt may place his question.

#### ACCOUNTING PRACTICES

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Minister of Finance. He will no doubt be aware that this morning the Provincial Auditor appeared before a committee and gave what can only be described as a damning report on the reporting of the finances of the province.

This was an issue that my leader, Lyn McLeod, raised at the very time you presented the budget. As a matter of fact, it was only three days after the 1992-93 budget was presented that she wrote a letter outlining the concerns to the Provincial Auditor.

This morning the Provincial Auditor indicated he had some severe reservations about the way the province's finances were reported. In his opinion, the deficit for the last three years has been systematically understated, and he told us this morning he came very close to not even giving the statement a qualified approval. In fact, he was close to not signing the financial statements.

My question to the Minister of Finance is this: Are you prepared now to acknowledge that the way the finances of the province are reported doesn't reflect the true deficit, and are you prepared now to undertake to report the finances in the future in the way the Provincial Auditor has requested?

**Hon Floyd Laughren (Minister of Finance):** Yes. I know that this question is more rhetorical than it might appear on the surface, because I know that the Provincial Auditor did share with the members of the standing committee on public accounts certain aspects of a letter that I wrote to him indicating that we certainly were prepared to move to what's known as the Public Sector Accounting and Auditing Board framework of reporting public finances.

So yes, we are prepared to change the way in which the financial statements are reported from the way that the previous government always reported them.

**Mr Phillips:** The auditor also pointed out that the taxpayers paid a penalty of at least \$2 million, and he agreed with us that if you use a calculation of what the real cost was, it was at least \$5 million. The taxpayers of this province paid, right down the drain, \$5 million in an interest penalty as the result of this questionable accounting practice. The delay of the pension payments from January 1, 1993, to April 1, 1993, cost the taxpayers of this province \$5 million. They got nothing for that other than a misstatement of the size of the deficit.

Can the Minister of Finance assure the House today that this practice will stop and that we will not see, this year, a similar waste of \$5 million of the taxpayers' money?

**Hon Mr Laughren:** The member for Scarborough-Agincourt would have more credibility if he used the numbers that the Provincial Auditor used, of a \$2-million extra cost rather than his number of \$5 million.

There is no question that when we deferred the \$528 million, I believe it was, for three months into both the public sector pension plan and the teachers' pension plan, which was to make up for a special unfunded liability of those plans, which certainly weren't created by us, what we said was that rather than reduce our expenditures on programs, rather than cutting health care and cutting education and cutting other social

services to the tune of \$500 million, we thought then, and I believe still, that it was a good investment to simply defer that \$500 million for three months in order to protect those essential programs of this province.

**Mr Phillips:** That answer, with all due respect, is nonsense. What you did was you borrowed \$500 million. You paid an enormous interest premium to do that. You could have borrowed that money for \$5 million cheaper. It was a complete, total waste of money because Bob Rae wanted to report a deficit below \$10 billion, and I stand by that statement: a complete, total waste of \$5 million because the Premier wanted to report a deficit that was lower than the real number.

My question to you is this, Mr Treasurer: The Provincial Auditor has indicated concerns about your plan to sell \$500 million worth of jails and courthouses and then lease them back and to ask the school boards to go out and borrow \$600 million worth of money on your behalf and put it on their books instead of your books. There is no doubt that the deficit this year is understated versus what the Provincial Auditor believes it should be. Will you undertake to report to the Legislature what the real deficit will be in 1993-94, using what you've already agreed upon, which is the Provincial Auditor's recommendation? Will you undertake to report very quickly to the Legislature what the real deficit in the province will be this year?

**Hon Mr Laughren:** This is the first time that, on the record, the member for Scarborough-Agincourt, the Liberal Party's Finance critic, has said that our deficit last year should have been \$500 million higher, and he would have supported that, presumably. That's what he's saying, that we should have let the deficit go \$500 million higher than we allowed it to go. I think it's good to finally get the fiscal policy of the Liberal Party on the record in this assembly.

Finally, I would say to the member for Scarborough-Agincourt, if he wants an example of the way in which the books are being reported now compared to the way they were before, I want to say to him that they're identical. The year we formed the government we inherited a reported deficit of \$3.029 billion. According to the auditor's numbers, the real deficit was \$3.7 billion, an excess of \$600 million over what you had reported, my friend. So don't talk to me about how we report the books. You were the masters at it.

1400

**The Speaker (Hon David Warner):** New question, third party.

**Mr W. Donald Cousens (Markham):** You've just watched the theatre of the absurd and a massive flight of fantasy, because what the Liberal fellow was asking is the same question.

We're talking about your tenure, three years during which time the auditor has had a chance to look at the books you've been working on. The auditor is saying



that your so-called accounting methods are inappropriate and permissive, not exactly an endorsement. In fact, the Provincial Auditor is looking, for the first time in history, at probably not giving your books the big okay. You didn't receive the auditor's endorsement.

The removal of \$528 million in that pension contribution is just another example the auditor has used of the way you are reporting to the people of the province of Ontario.

Since 1990, when you came to office, the Provincial Auditor has raised doubts concerning the integrity—that's a key word for your government—of your accounting process. Now you're removing large debt from government books to new crown agencies. Will you finally admit to this House that you have been cooking the books?

**Hon Mr Laughren:** The member for Markham uses very unfortunate and exaggerated language to make his point, I guess because he can't make it if he uses rational language.

I would say to the member for Markham that there's been zero attempt to disguise anything by this government. Let me read to you a short excerpt from the budget that we brought down in the spring, which is the subject of so much scorn from you.

We stated: "Borrowing requirements for 1993-94 are forecast to be approximately \$11.4 billion. This is composed of \$6.1 billion for funding the operating deficit, \$3.1 billion for capital spending, \$1.1 billion for alternate financing arrangements"—that's what we're talking about with the capital corporations—"and new loans and \$1.1 billion for refinancing maturing debt," as it becomes due. There is the total number of the borrowing requirements for the province. There's no attempt, none at all.

What has happened is that the Provincial Auditor is saying he wants the province of Ontario to move to a new accounting framework that's being set up all across Canada for all of the provinces, and all of the provinces are now moving to what's called the Public Sector Accounting and Auditing Board framework. There's nothing unusual about that, and we have said yes, we will do that.

As to the qualified opinion, I would remind the member for Markham that the federal auditor, 10 times out of the last 12 years, has issued a qualified statement on the federal books.

**Mr Cousens:** You can read all you want. I'm reading the auditor. That's what we need him for. He says, "The practice of pre-flowing expenditures, particularly in the absence of a consistent pattern, can be viewed as an attempt to manage operating results." It's another way of saying "cooking the books." That's what we're concerned about.

He then concludes, "There's an inappropriate shift of

expenditures between two fiscal years." You move \$600 million because of the pension fund and then you move \$800 million to your crown corporations; that is what we're concerned about.

What we're talking to you about is to see if you'll come clean and start adhering to some fundamental audit principles in the way you're going to report to the Legislature. You're establishing four new crown corporations. It was the subject of debate in the House yesterday and will be ongoing.

**The Speaker:** Could the member place a question, please.

**Mr Cousens:** These corporations are a feeble attempt by your government to hide its real debt. They're arm's-length from the House; they're not accountable to the House. Would you not agree that by virtue of moving these assets, these moneys, from the provincial budget over to other sets of books, you are actually fudging the books?

**Hon Mr Laughren:** I thought that by reading what was in the budget this past spring, it would be clear to you that it was all laid out: Every single dollar of expenditures was laid out in the budget. Absolutely nothing was hidden from anybody who cared to read the deficit; absolutely nothing.

*Interjection.*

**The Speaker:** The member for Etobicoke West is out of order.

**Hon Mr Laughren:** As far as the capital corporations go, I would use one example, the Ontario Transportation Capital Corp, which is what we call an off-budget corporation. By setting it up as a capital corporation, it's going to allow us to attract private sector investment, to allow us to move much more quickly in building Highway 407 than would be the case if we were taking it entirely out of the consolidated revenue fund every year.

If you tell me that you want us to slow down the construction of Highway 407, with all the jobs that are intended, all the private sector investment that's going to mean, then stand in your place and say so. But I think that's the right way to move if we're going to have the kind of investment in infrastructure and job creation that this government believes in.

**Mr Cousens:** This Minister of Finance said the deficit was \$9.2 billion; the auditor said it's \$10.6, so you're seeing a difference. On the one hand, you're saying it's \$9.2 billion or something, but we know about the \$800 million that went into the corporations, we know of the other things that are happening. What we're seeing is a massive shift of moneys from the books of the province to other areas.

You have not pulled the wool over anyone's eyes. You haven't pulled the wool over the eyes of the taxpayers; they're mad and they know you for what you

are. The auditor is on to you, and we're on to you. What I'm worried about is that the bond rating agency, Moody's—

*Interjections.*

**The Speaker:** Order, the member for Durham East.

**Mr Cousens:** The bond rating agencies have to look at you and the province of Ontario to find a place that's got integrity, has books that are accurate, that has hope for the future. What we're seeing with you is that there is no confidence in the way you are keeping the books. Ontario, being one of the largest borrowers in the world—

**The Speaker:** Would the member place his supplementary please.

**Mr Cousens:** I respect the Speaker more than you guys. What would you say to Moody's and the credit rating agencies about Ontario's situation right now? Are we safe, or are they looking at you and wondering just whether they should charge more or change our credit rating?

**Hon Mr Laughren:** I'll repeat, just for one—

**Mr Cousens:** Answer the question.

**Hon Mr Laughren:** I will, I will; give me time. The first sentence I read out previously was in the budget, this statement: "Borrowing requirements for 1993-94 are forecast to be approximately \$11.4 billion." When the rating agencies look at the budget or look at our financial statements every year, they look at our borrowing requirements. They even add in the guarantees we have out there. For example, we guarantee the debt of Ontario Hydro. The bond rating agencies, don't just look at the budget; they look at Ontario Hydro, they lump it all together and say, "What are the total borrowing requirements for the province of Ontario?" They know full well exactly what our borrowing requirements are, and it's on that basis that they determine what our bond rating, our credit rating, should be.

I've met with the credit rating agencies more than once, and there is no problem with the way we report our books or they would let us know very quickly. They have no problem with it. All that's happening here, to put it in perspective, is that the auditor is asking us to report our financial statements in a way different from any government in this province, including what the old Tories ever did when they were in office. That's all that's happening. We're changing the accounting framework from the way it's been done in the past. That's all.

1410

#### WCB PREMIUMS

**Mrs Elizabeth Witmer (Waterloo North):** My question is for the Minister of Labour. Yesterday, the Workers' Compensation Board released its 1994 assessment rating. Over 27,000 businesses in Ontario will be hit with increases of more than 25% and 4,000 businesses will be burdened with WCB rate increases of

more than 75%. Unbelievable. This will be the final straw for many businesses and employees in Ontario. As Minister of Labour, how can you condone these outrageous, job-killing rate increases?

**Hon Bob Mackenzie (Minister of Labour):** The member across the way should be aware that last year the board moved to a new classification system in order to make assessments more fair. Now assessments more closely relate to the actual risks associated with the workplace and the accidents in the workplace. This was done also, I might say, in consultation with the stakeholders across the province. Surely the member doesn't disagree with a fair assessment of the rates and the various classifications.

**Mrs Witmer:** This is not fair, and jobs will be lost. You know that last February the Ministry of Economic Development and Trade released a study which said that even a minimal increase in WCB rates would lead to job losses and in some cases would put companies out of business. We cannot afford to lose one more job in this province because of your government's mismanagement and its inability to control its spending. Will you today condemn the board's decision and assure the struggling businesses and the employees who will be impacted that they will not be faced with these disastrous, job-destroying increases?

**Hon Mr Mackenzie:** I wonder whether at the same time the member across the way would stop calling for dealing with the unfunded liability. It's what she's really looking at.

In consulting with stakeholders to establish the 1994 assessment rates, the board tried to find a balance between addressing systemic financial challenges and not dramatically increasing the assessment rates through economic times.

In light of the continuing recession and the difficulty for employers to absorb large assessments in rate increases, the board decided to increase its rates by an average of only 3%. The 1994 average assessment rate is now \$3.04, up from \$2.95 in 1993. I think that increase achieves a balance that's needed in the tough economic times and against what's needed to pay the bills.

**Mrs Witmer:** I'm so glad you mentioned the unfunded liability, which is reaching almost the number of \$12 billion. I want to tell you that the problem is not a revenue problem; it's the result of an expenditure problem which you don't want to recognize.

The answer is not going to be found in rate hikes of 25% or 75%. It can only be found by cutting costs, and this you refuse to do even though Manitoba and New Brunswick have done exactly that. They have cut their costs.

My colleague David Tilson has introduced a bill that will have a similar effect on Ontario's WCB. Will you support my colleague's bill to reduce costs, or do you



want to continue to let the WCB spin further out of control, to the tune of \$31.5 billion by the year 2014, as has been predicted by the Premier's Labour-Management Advisory Committee at a meeting on September 7? What is your choice? Will you cut costs?

**Hon Mr Mackenzie:** You cut costs by reducing accidents, and that has a tremendous effect on workers and their lives too. You don't do it by cutting the benefits to workers in this province of Ontario.

*Interjections.*

**The Speaker (Hon David Warner):** The honourable member for Halton Centre with her—

*Interjections.*

**The Speaker:** Order.

#### CANCER TREATMENT

**Mrs Barbara Sullivan (Halton Centre):** My question is to the Minister of Health.

*Interjections.*

**The Speaker (Hon David Warner):** The member for Etobicoke West remains out of order. If he and others would come to order, then the member for Halton Centre, who has been waiting patiently, will have an opportunity to place her question.

**Mrs Sullivan:** My question is to the Minister of Health. I would like to bring to the attention of the Minister of Health another situation involving bone marrow treatment at Princess Margaret Hospital.

On October 15, Gail Courneyea wrote to the Premier outlining her concerns—

**Mr Gary Carr (Oakville South):** When you run out of money, you'll have no money for benefits, Floyd.

**The Speaker:** Order. The member for Oakville South, come to order.

*Interjection.*

**The Speaker:** I know the member for Nickel Belt would not wish to contribute to the heckling or to spur it on.

**Mrs Sullivan:** Last October 15, Mrs Gail Courneyea wrote to the Premier outlining her concerns that her daughter's planned bone marrow transplant at the Princess Margaret Hospital would be delayed. I'm going to ask a page to take a letter to the minister.

Last spring, Minister, you will recall, during the social contract talks, you promised that access to health care would not be at all reduced by social contract cuts. The letter from Mrs Courneyea delineates that proposed reductions in services in the leukaemia and bone marrow units during December due to unpaid leaves under the social contract may affect the timely bone marrow transplant which her daughter is scheduled for.

We want to know what you are going to do to ensure that this woman, who is a candidate for bone marrow transplant, will in fact receive the timely treatment she needs at the Princess Margaret Hospital.

**Hon Ruth Grier (Minister of Health):** I think we've addressed this issue before in the House, and let me say again to the member that, yes, there is some scheduling that is happening at Princess Margaret with respect to their coverage during the Christmas to New Year season.

That is not unusual; it happens in all hospitals and is certainly happening there in an effort to make sure that they have the very intensive nursing that is required when bone marrow transplants occur. I have been assured by the hospital that they do not see this as in any way affecting both the urgency and the number of bone marrow transplants they are scheduled to perform this year.

**Mrs Sullivan:** Mrs Courneyea is a registered nurse. She's worked in the health care system for something over 20 years in critical care areas. She is working in those areas this day. She is deeply concerned for her daughter, because she has personally seen the direct impact from the lack of planning, the mismanagement surrounding the government cutbacks in the expenditure control plan and through the social contract.

She is deeply, deeply concerned, as you can imagine, that her daughter will be directly affected by those social contract cuts and will not be able to receive the treatment she needs. It is very clear from the planning at Princess Margaret that the normal schedule for closings in December, which we understand occur in many hospitals across the province, will in fact be increased this year directly as a result of the social contract.

A task force that my party is undertaking under the direction of our leader will go around the province to talk to patients and to health care professionals about where they see deficiencies in cancer care, and we hope to bring back recommendations that will be a contribution to the minister. But in the meantime I want to know what the minister is going to do to ensure that social contract cuts do not continue to threaten the delivery of any critical service, such as a bone marrow transplant.

**Hon Mrs Grier:** First of all, let me say to the member that I welcome the kind of initiative that she describes and I hope that as a result of that she will hear, as I have as I have attended round table discussions around cancer treatment and prevention and early detection around this province, that we have a first-class system.

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We have some gaps, we need a longer continuum and we need some work that makes sure that we increase the amount of prevention and early detection that occurs as we cope with what is a very large increase in the number of cancer patients and needs in this province.

But when she says that there is a lack of planning, I think that she undervalues the very exemplary work that

is being done at Princess Margaret and our other treatment centres in dealing with the impact of the social contract and of flat-lining of budgets and in still performing, as I assured her in my answer to the first question, exactly the same number of bone marrow transplants this year as they did last year and ensuring, as they do as a first-class facility, that all patients who need treatment get that treatment.

That's the reality. I hope as the member talks to people within the system she will understand how proud we should all be of our system here in Ontario.

#### CASINO LEGISLATION

**Mr Ernie L. Eves (Parry Sound):** I have a question for the Minister of Consumer and Commercial Relations. The minister will know that Bill 8 has been relatively stalled in committee of the whole for about two hours and 45 minutes dealing with what I and most members on this side of the House think is a very straightforward amendment put forward to section 6 of the bill by the member for Brampton North.

The amendment quite simply is to make sure that the operator of any casino in the province of Ontario is responsible for any loss or liability, as opposed to the province of Ontario and the taxpayers of Ontario. Why will you not accept that very simple amendment?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** I'm certainly aware that there was a long discussion on this issue last week. I also see the logic of the opposition's argument here, why they would like to see it enshrined in the legislation.

*Applause.*

**Hon Ms Churley:** Why, thank you. But I have to point out to the member that the problem is that the principle we've adopted for the pilot project is that the operator would be asked to take on any debt should one occur after the casino is opened so that the taxpayers won't be responsible, and that makes a lot of sense. The difficulty in enshrining it in the legislation at this point is that this is a pilot project. "Operator" isn't mentioned in any way in the bill.

Part of the RFP says very clearly that if for some reason the province is not satisfied with the performance of the operator, the province would buy that operator out and at that time would probably incur a debt. The idea would be to resell that to another operator probably, but not for sure. Because this is a pilot and because we're doing it this way this time means that we don't want to have that written in stone.

But I certainly commend the member for his interest in this subject, because of course we all want to make sure that down the road—

**The Speaker (Hon David Warner):** Could the minister conclude her response, please.

**Hon Ms Churley:** —the taxpayers aren't stuck with a debt from the casino.

**Mr Eves:** Mr Speaker, through you to the minister, the members of the standing committee were somewhat confused, because on September 9 both your ADM, Mr Alfieri, and your deputy, Ms Wolfson, attended before the committee and gave two totally different answers to why you wouldn't accept this amendment.

Mr Alfieri's answer was because you didn't want to scare off future casino proponents. Ms Wolfson's answer, and I'm paraphrasing, was that the province may in the future want to enter into some other type of arrangement and thereby perhaps become responsible, and make the taxpayers of the province responsible, for future operating deficits and liabilities.

We would like to know and I'm sure the people of Ontario would like to know whether or not they will be asked to pick up the operating deficit or liability of not only this casino project but any other casino project in the future in the province of Ontario. Will they be asked to pick up that deficit or not? Yes or no.

**Hon Ms Churley:** No, Mr Speaker. Let me say again that I certainly understand and support the principle behind your amendment. But as I said before, this is a pilot project. This is one model. The government has not decided to proceed with any other casinos at this time, as you know, because this is one model among many possible models, including a government-owned and totally operated casino. That could happen down the road. That would involve a different kind of arrangement. We do not want to see that the taxpayers would be picking up any debt.

Let me also say that the province has decided at this time to go ahead with one casino. We had a very comprehensive study done on the possibility of other casinos down the road. We will be looking at that and responding to that study. But I'm sure it is all of our intentions to make sure—I'm glad the Liberals and the Tories in particular, who have incurred billions of dollars of debt on different projects over the years, have finally seen the light and want to make sure that this doesn't happen to the taxpayers in the future.

**The Speaker:** New question, the member for Lincoln. I'm sorry. The Minister of Community and Social Services indicated that he wished to respond to a question asked earlier.

#### SOCIAL ASSISTANCE

**Hon Tony Silipo (Minister of Community and Social Services):** Yesterday the member for Bruce asked me some questions with respect to the issue of welfare fraud in general, and specifically an investigation that he referred to that was under way by federal immigration authorities known as Also Known As. I undertook to come back to the House and to give him some more details.

He asked specifically in that question what cooperation we had provided to that project, how long I had known about the particular investigation and how the



particular project dovetailed into projects that we have under way in relation to welfare fraud. I'd like to try to answer all three of those parts if I can.

First of all, I can tell him that the particular investigation has been centred essentially in the Metro area and has been centred essentially within the municipality of Metropolitan Toronto, because the focus of the investigation has been with respect to general welfare assistance recipients and the issue of refugee claimants there.

Therefore, while we at the ministry level were not aware of the specific details, I can assure him that from the information I have garnered, I'm quite satisfied that there has been complete cooperation by the Metro authorities who, as he knows, deliver the program on our behalf in the Metropolitan Toronto area with respect to GWA, and that is happening. Although the particular investigation is winding down, the investigation, as I understand, is being expanded throughout the region so the issue is being pursued. I can assure him that that will happen.

Secondly, I can also assure the member that even though this was not an instance in which we at the ministry were aware of the specific instances, I've instructed my officials to ensure that we have a process in place that allows the minister and the ministry to be cognizant, in future situations and indeed other situations and other investigations that are taking place, of those specifics so that we have that information at our disposal.

**Mr Murray J. Elston (Bruce):** We know that in 1992, the then Minister of Community and Social Services had indicated a plan had been formulated in the ministry to hire up to 450 new people to pursue the issues of welfare fraud. I would like the minister to tell us exactly what has become of that plan to pursue welfare fraud and the hiring of those particular people to make sure that we as taxpayers are not being defrauded of millions and millions of dollars.

**Hon Mr Silipo:** I am happy for the supplementary and the opportunity to pursue that issue, because I think that as the member indicates, that is also an important issue that we have a clear responsibility on.

I can tell him that following the work my predecessor started on this issue that we have proceeded with and are continuing, in fact there have been a number of additional staff hired whose specific jobs have been to assist existing workers in reviewing eligibility of clients for social assistance.

I can tell him that there have been in fact in the range of a total of 450 new staff that are now in the system, to about a couple of hundred of those specifically dealing with reviews, and we are seeing some very real results which we want to continue to build upon.

I can tell him that just by way of one clear indication of the effect that is having, in the period between April 1992 and January 1993 of this year—I won't provide all

of the details about it—the total dollar saving that has been identified for the 1992-93 fiscal year was over \$5 million and for the 1993-94 fiscal year over \$16 million. So I can tell the member that—

**Mr Elston:** And the losses?

**Hon Mr Silipo:** The losses? I don't know what losses he's referring to. It's very clear that the process that was put in place is working.

I can also tell the member, as he might recall, that during the expenditure control plan measures we undertook the enhanced verification of eligibility for social assistance was one of the measures we put a lot of attention on. That is now beginning to be put into effect and I expect we'll see even stronger indications of the ability for us to ensure that the integrity of the system is protected and that benefits are directed to those people who need them.

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#### VIOLENCE

**Ms Dianne Poole (Eglinton):** My question is for the Attorney General. Her colleague the Minister of Consumer and Commercial Relations has said she is simply helpless to keep serial killer trading cards from the hands of our children. She said that perhaps the Attorney General might be able to do something about it.

As the minister is aware, without government support there is virtually no chance for passage of my private member's bill, which I introduced three months ago, to prohibit the sale of violent crime cards to children. Since your colleague refuses to take responsibility, I ask you as Attorney General if you will take leadership to protect the children of this province.

**Hon Marion Boyd (Attorney General):** Both the Minister of Consumer and Commercial Relations and I have made it very clear that there are real difficulties in what the member describes as simple processes. This is a federal matter. How can we find ways to translate our concern, which we all share, into a workable and useful way to try and block the sale of these items in our own province?

We have joined together, the minister and I, in terms of urging our federal colleagues to look at the law as it now exists and to see ways in which we can make the current Criminal Code, which contains a section called "Crime Comics," I believe, that relates to the making and the sale of periodicals, magazines, comics and cartoons that depict pictorially the commission of crimes and so on—our advice and our request of the federal government has been that this section be expanded to include things like the cards. That then gives us the mechanism whereby we can enforce any prohibition against those.

The other issue is that the federal government governs importation. Where these items are not being made in Canada, and in general that's the case, the federal

government is responsible for dealing with the issue at the border. But under the current law there is no mechanism whereby excise officers can stop that material from coming in.

**The Speaker (Hon David Warner):** Could the minister conclude her response, please.

**Hon Mrs Boyd:** We are prepared to work with our federal counterparts to see what can be done on that.

I would caution the member, as usual, that there will be great offence taken to this by civil libertarians who see this as a means of restricting freedom of expression and freedom of speech.

**Ms Poole:** Madam Minister, even civil libertarians have never said that we should not protect our children. If we can protect our children by saying that they cannot drink and that liquor cannot be sold to them, why can't we say provincially that we will not allow these serial killer trading cards to be sold to them?

I turn to another private member's bill, one that passed second reading this morning, to ensure that criminals will not profit from their crimes. We all recognize in this House that it is futile to advance a private member's bill during private members' hour if the government will not give its commitment to ensure the bill is passed and implemented. I would say that serial killer cards are a perfect example of how people are exploiting crime for profit.

Parents of young victims are justifiably outraged that criminals are profiting from the crimes that took their children's lives. Debbie Mahaffy, who has been leading the fight against these violence crimes, has said: "What's next? Gang rape cards?"

Minister, I ask you in all seriousness, will you and your government move expeditiously to support and ensure this bill is passed?

**Hon Mrs Boyd:** What happened in the House this morning indicates very clearly the concern that all members of the House have for the pain and the suffering and the sorrow that all of us in the community feel about the issues that are happening.

As Attorney General, I cannot support a bill which is not going to stand up constitutionally. My parliamentary assistant talked about the constitutional issues in the bill as it is formulated. What we have determined to do is to work with the member who brought the bill forward as we go through that second reading process to see if there are ways in which we can have the same end result without opening ourselves to a constitutional challenge of the magnitude that this would be.

#### TEACHERS' DISPUTE

**Mrs Dianne Cunningham (London North):** I have a question for the Minister of Education and Training. Yesterday the minister said, in talking to me: "The member should understand that this is for a collective agreement that's previous to the social contract, and

neither party is even stating that this is a social contract set of negotiations. They've said very clearly that it had nothing to do with the social contract." This is with regard to the Lambton secondary strike—your words.

I would like to read from Bill 48, subsection 24(5), and then my question will be very brief, one statement. "If a collective agreement has expired before June 14, 1993 and on that date the employees that were formerly bound by it are without a collective agreement"—and this agreement was before that, Lambton secondary, August 1992—"the compensation of these employees is fixed at the amount they were receiving under the last collective agreement in force before June 14, 1993."

This is important for all the members in this House. Is this a legal document? Is this a bill of Parliament? Does this not in fact relate to this strike? Are you not going to use this in this dispute with Lambton? Are they part of the social contract legislation for the province?

**Hon David S. Cooke (Minister of Education and Training):** I think the point I made yesterday was that the time period that the collective agreement now being negotiated covers is previous to the social contract legislation or the date on which the social contract came into force. As a result, if the parties choose to negotiate a settlement at the bargaining table, they have much more flexibility than they do after the social contract legislation comes into effect. The member knows that, the teachers know that, the board knows that. It's up to the parties in Lambton whether they want to take advantage of that or not.

**Mrs Cunningham:** I will let the record speak for itself, because June 14, 1993, is the date in the social contract. If this is the ruling of the minister, all boards have free, open negotiations separate from the social contract. That is not what the public of Ontario was told.

We have a strike in Lambton secondary which is 28 days. We have another strike, in East Parry Sound elementary, which is now into its 11th day. There are threats of other strikes. The social contract does not allow for salary increases for teachers until March 31, 1996, unless the minister is saying he's going to disregard his own legislation. I think he said that today. I think it's very important for the boards to pay attention to this response.

My question therefore is this: In Lambton, the parents, the students, the teachers—everyone—are going to be meeting tonight and they will be proving that those children who are out of the classroom are in jeopardy. I can say to you now, Mr Minister, when are you going to show some leadership, given all the information you've got, and bring forth legislation so that the students can return to school?

**Hon Mr Cooke:** The whole purpose of the meeting that's been convened tonight by the Education Relations Commission is to put a series of questions to the board



and the teachers, to listen to the public and to get that necessary input, as provided under Bill 100, because it's the responsibility of the Education Relations Commission to determine when there is jeopardy in a school system. I think the member should respect the law.

#### JOBS ONTARIO

**Mr Ron Hansen (Lincoln):** My question is to the Minister of Education and Training. It seems that the honourable Leader of the Opposition doesn't think this government's Jobs Ontario Training program is working.

We've all heard her complain and complain and complain, but without offering a viable alternative of her own. I can tell you that I've talked to plenty of people in the riding of Lincoln who don't agree with the Leader of the Opposition, people who have excellent things to say about Jobs Ontario Training.

Can the minister advise this House and my constituency if Jobs Ontario Training is indeed working for the people of Lincoln and Ontario?

**Hon David S. Cooke (Minister of Education and Training):** I can advise the member that province-wide the program has now created well over 30,000 jobs in the province of Ontario. I can also advise the member that province-wide the program has saved over \$130 million in social assistance costs to the taxpayers of the province.

I'd certainly like to indicate to the member that in his area the Jobs Ontario Training program is working with Niagara College as the broker. My understanding is that there are 37 employers in Lincoln county and over 380 employers in the Niagara area participating, and already around 50 jobs have been created in small deals and there is one bigger deal that has created 85 jobs in the Lincoln county area alone.

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#### BRIDGE ACCIDENT

**Mr Steven W. Mahoney (Mississauga West):** My question is to the Minister of Labour. As you know, on June 8, 1993, there was a tragic accident on the Skyway bridge in St Catharines that killed four men. The Ministry of Labour investigators' investigation was to be completed by the end of September, but it has been publicly stated that the report will not be completed until January or even as late as February.

I have information; I have learned that the inspector's report is indeed complete now and that it is being withheld by you and your officials. Apparently you are suppressing this report because it alleges negligence. We don't know who the negligence refers to because you won't share the information with us or with the public.

Minister, will you release this very important report immediately?

**Hon Bob Mackenzie (Minister of Labour):** I can tell the member that as soon as I am able to, I will

release the report. They are in the process also of reassembling and rebuilding the platform, because there's some additional information still needed before the final decisions are made on the accident.

**Mr James J. Bradley (St Catharines):** In light of the fact that the families of the people who are directly involved—in other words, the people who were tragically killed in this accident—and their friends and fellow workers and everyone who's involved in this are eagerly awaiting the results of this investigation to determine exactly what happened and to perhaps ease their minds or at least confirm what their suspicions might be, would the minister not be prepared to give an undertaking to have this investigation and the final report speeded up so that we could have this before the projected time of February, particularly in light of the fact that it appears from the information that my colleague from Mississauga West has obtained that much of the report or almost all of the report is in fact done? It's sitting somewhere on a desk simply awaiting release by your ministry.

**Hon Mr Mackenzie:** I have no desire to hang on to the report beyond the time that's needed. What I hear from my health and safety people on the reassembly of the platform is what we're currently waiting on, and I will get the report out as quickly as I can.

#### TIRE RECYCLING

**Mr Noble Villeneuve (S-D-G & East Grenville):** To the Minister of Environment and Energy: Can you tell this House whether you consider the process of liquifying tires in order to break them down into their original components to be recycling or incineration?

**Hon Bud Wildman (Minister of Environment and Energy):** I guess it relates to whether or not you burn them.

**Mr Villeneuve:** Tell the minister that Ripp Tire, which wants to set up a process of liquifying tires, is not incinerating tires. They will be producing back to the original: the carbon black, the metal and the fuels. Your ministry has had this for over a year now and it cannot decide whether this is recycling or incineration. Could you help me out, please?

**Hon Mr Wildman:** Probably not.

**The Speaker (Hon David Warner):** New question, the member for—

**Mr Villeneuve:** On a point of order, Mr Speaker: This is an economic problem very important to the province of Ontario and to my riding. I ask for a late show.

**Hon Mr Wildman:** I'm happy to take the member's question on advisement and to respond to him later.

I just want to indicate to him that right now in Ontario, of the 10 million waste tires we produce each year, we're recycling about 40%. Next year, due to the efforts of the private sector and the ministry, we expect

to be recycling and reusing 60% of the used tires in this province.

**The Speaker:** To the honourable member for S-D-G & East Grenville, indeed he has the opportunity, if he so chooses, to still ask for what is commonly known as the late show.

I had recognized earlier, before the clock ran out, the honourable member for St George-St David.

**Mr Gilles Bisson (Cochrane South):** On a point of order, Mr Speaker: The question period, as you know, is supposed to go in rotation. Government members are allowed a question. It is our rotation.

*Interjections.*

**The Speaker:** Order. It's perhaps appropriate to at this point explain that the standing orders do provide a certain restriction for the Speaker in that they do prescribe a rotation, and I am aware of that. I looked and I allowed a number of seconds, waiting for a member on the government side to rise. I did not see anyone rise.

**Mr Bisson:** I was up next.

**The Speaker:** If the member for Cochrane South indeed did rise and he did not catch my eye, to him I apologize, but I had looked. I allowed some time. I could not see a government member on his or her feet. I then recognized in order of rotation the member for St George-St David.

**Mr Bisson:** On a point of order, Mr Speaker: There was at the time a point of order being raised in the House and that's why I wasn't quick getting to my feet at the time. The rules in here are that you must deal with a point of order as it's raised, and once the point of order was dealt with, I went to my feet.

**The Speaker:** To the member for Cochrane South, it perhaps isn't appropriate at this point in time to go through a discussion of the actual sequence of events, but I believe them to be as I had described them. It would be more appropriate for me to follow my original decision, which was to recognize the honourable member for St George-St David. Indeed, perhaps on the subsequent question period the honourable member for Cochrane South will find his name on the list.

#### SPECIAL INVESTIGATIONS UNIT

**Mr Tim Murphy (St George-St David):** My question is to the Attorney General. As she will know, as the minister responsible for the special investigations unit, recently after 15 months' investigation the SIU finally cleared Constable David Nurse in Ottawa. It took 15 months for this investigation where any police force would have taken days, maybe weeks.

In fact, John Peterson, the president of the Ontario Police Association, is quoted as saying, "I find it appalling that a government agency could take 15 months." He goes on to say: "There were no new facts after the first week of the investigation. They had

everything they needed." He said, "I have to believe politics are at the root of the delay."

My question for the Attorney General: Is anybody over there paying any attention to this special investigations unit and fixing it? Almost a year ago now, eight or nine months, we had a promise of legislation from the previous Attorney General. We have seen nothing from this current Attorney General.

When is she going to do something with the special investigations unit?

**Hon Marion Boyd (Attorney General):** The member is quite incorrect when he suggests that nothing is happening. In fact, the SIU was switched from the responsibility of the Solicitor General to the Attorney General's ministry in the last few months. The hiring of former Chief Harding from Halton has been completed. He will be coming on board in December as a very senior member of the team.

Five additional hirings will be announced very shortly, after a very extensive process which involved a search and over 500 candidates applying for the job. We have increased very substantially the assistance that the director of special investigations now has in order to complete these investigations.

That is not to say that the criticism of this particular investigation should not be made. The director himself has been very clear that there were unacceptable delays in the course of this investigation, some due to lack of resources on the part of the unit, some due to the inability of the unit to investigate because of the refusal of one of the participants to give information, some of it because the volumes are very thick of this investigation. There was a lot of fact evidence, three volumes that had to be looked at because legal advice had to be looked at in this case.

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So we have a very great obligation to improve the efficiency and we intend to. But I would remind the member that the police forces of this province very frequently take longer than 15 months and all of us in this House know of investigations that have gone on for months and months, to our dismay, and it is not our right as politicians to interfere with the course of investigations.

**Mr Robert V. Callahan (Brampton South):** I have a very urgent point of privilege, Mr Speaker. It involves the expenditure of many hundreds of thousands of dollars on a report for the Ministry of Correctional Services that demonstrates significant racism in the jails. The minister has not released that and he's denied me, as the critic for corrections—

**The Speaker (Hon David Warner):** The member for Brampton South will know that he does not have a point of privilege, but certainly he has material for a subsequent question period, I'm sure.



## ASSISTED HOUSING

**Hon Evelyn Gigantes (Minister of Housing):** Mr Speaker, on October 13 the leader of the third party asked a question of me concerning a property at 10 Ashdale in the city of Toronto. I promised him at that point that I would provide information both to him and to the members of the House—

**Mrs Margaret Marland (Mississauga South):** That is not in order, Mr Speaker.

**The Speaker (Hon David Warner):** No, there's nothing out of order.

**Hon Ms Gigantes:** —and I'm pleased to table that information right now.

**Mrs Marland:** On a point of order, Mr Speaker: My understanding of the proceedings in this House is that when a minister has information that is as a result of a question by another member, that response is tabled during question period in order that the person who asked the original question has an opportunity to comment.

**The Speaker:** To the member for Mississauga South, indeed there are two separate processes. At any given time when the House is sitting a minister may table information with the table, and that's in fact what the Minister of Housing just did. On other occasions where ministers have made an undertaking to provide a response to the member in the House, then that is done and at that point the member involved has the opportunity for a supplementary. They're two different processes, and in this case the minister was simply tabling information and that's perfectly in order.

## MEMBER'S PRIVILEGE

**Mr Charles Harnick (Willowdale):** On a point of privilege, Mr Speaker: It's come to my attention that you have authored a letter dated October 14, 1993, where you have taken the liberty of indicating that you're sorry to intrude on the hectic life of members with an article about some Canadians recently assisting the people of Cuba. Then you go on to say, "From a recent visit, I can attest that the results of a devastating tropical storm, a drought and"—now the key words—"the US embargo have had a drastic effect on the daily lives of the 11 million people of this country."

I object very strongly to your speaking on my behalf as a member of this assembly and alleging that the problems that result in the country of Cuba are as a result of your perceived feelings about the US embargo there. You have no right, with respect, to speak for me or any other member of this Legislature on the letterhead of the Legislative Assembly, indicating that you have some questions about the validity of the US embargo of the country of Cuba.

I very respectfully would ask you to apologize to members of this assembly who may have been offended, as I am, by this letter. I would suggest that as a private

member of this Legislature, which I understand you are, you are representing a constituency, you could write such a letter, but as Speaker you do not represent my thoughts on this issue and I am offended by this letter and I would hope that it would not happen again.

**The Speaker (Hon David Warner):** To the honourable member for Willowdale: If indeed the letter which I wrote to him is one about which he takes offence, I indeed would apologize to the honourable member for Willowdale. He will note, and I think he did in his remarks, that I wrote to members of the Assembly and to no other individuals. But I appreciate the fact that he's drawn it to my attention and if indeed at a future date he wishes to discuss this at any greater length, I would be most pleased to entertain a meeting in my office. I appreciate what the member's done.

**Mr Chris Stockwell (Etobicoke West):** On a point of order, Mr Speaker—

**Hon Mike Farnan (Minister without Portfolio in Education and Training):** Get out of the gutter.

**Mr Harnick:** Write it on his private letterhead.

**The Speaker:** Order. The member for Etobicoke West has the floor.

**Mr Stockwell:** Yesterday the Solicitor General had a press conference revolving around the .38-calibre handgun and the fact that they're moving to a semi-automatic in the police forces across Ontario.

I believe my privileges as a member have been usurped, because considering that issue has been debated at great length in here and questions have been asked, it seems absolutely incredible to me that a member of the government, a minister, would make such an announcement outside of this House and then not have the guts to bring it in this House and make that announcement so we in the opposition would have the opportunity—

**The Speaker:** The member for Etobicoke West knows, first of all, that he has neither a point or order nor a point of privilege but indeed it's a difference of opinion. It sounds again as if it may be material for question period.

## PETITIONS

## ONTARIO LOTTERY CORP

**Ms Dianne Poole (Eglinton):** I have a petition addressed to the Legislative Assembly. It's fairly lengthy, and I know you've asked on previous occasions, Mr Speaker, for us to précis the petitions when they're this long. So I would just tell you that the petition concerns the Ontario Lottery Corp and the petitioners are very concerned about the intimidation of retailers and visiting retailers with the connections of their terminals if they carry certain material. They've asked for legislation to be introduced and I'll read this particular section verbatim:

"Therefore we, the undersigned, respectfully beg

leave and petition the Parliament of Ontario as follows:

"Consider, move and read a bill, An Act to amend the Ontario Lottery Corporation Act, as follows:

"Subject to the Competition Act, Ontario Lottery Corporation shall make such further reports to the minister as the minister may require from time to time, and where, in the course of determining whether a competitive product appears to offend any legislation or the Criminal Code of Canada, Ontario Lottery Corporation shall report the particulars of the competitive product and any allegation of the offence to the federal competitor authority or director thereof in place of contacting the distributors and retailers of the competitive product in order that the retailers' and distributors' market shall remain intact and no business interruption shall occur as a result of any investigation and until a determination has been made as to the legality of the competitive product."

#### MEMBER'S PRIVILEGE

**Mr Charles Harnick (Willowdale):** Mr Speaker, I rise again on a point of privilege. I just made the comments earlier about your letter of October 14, and I would like to ask the member for Cambridge, who told me I was getting out of the gutter in order to do that, to withdraw his remarks.

As a member of this Legislature, I felt strongly about what I said, and I said it with the utmost respect to your office. I don't think I should be subject to being told by the member for Cambridge that I was getting out of the gutter in order to state my rights as a member in this place.

**The Speaker (Hon David Warner):** To the member for Willowdale, I did not hear the remarks to which he referred. Indeed, had I heard them, I would have said they were not parliamentary. But as is the custom, I would allow the honourable member for Cambridge, if he is so inclined, to withdraw the alleged remarks.

**Hon Mike Farnan (Minister without Portfolio in Education and Training):** Mr Speaker, it is absolutely correct that I find the member's approach totally disgusting. It's something I felt he could have dealt with in private with you out of respect for your office. I abhor the fact that he took this particular route in the House, and I stand by that statement.

#### INTRODUCTION OF BILLS

##### FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY STATUTE LAW AMENDMENT ACT, 1993

##### LOI DE 1993 MODIFIANT DES LOIS RELATIVES À L'ACCÈS À L'INFORMATION ET LA PROTECTION DE LA VIE PRIVÉE

On motion by Mr Tilson, the following bill was given first reading:

Bill 108, An Act to amend the Law related to the Freedom of Information and Protection of Privacy /  
Projet de loi 108, Loi portant modification des lois

relatives à l'accès à l'information et la protection de la vie privée.

**Mr David Tilson (Dufferin-Peel):** This replaces the bill that was ruled out of order earlier in the week. I won't repeat it; it's simply replacing the bill that you ruled out of order.

1500

#### ORDERS OF THE DAY

##### PROVINCIAL OFFENCES STATUTE LAW AMENDMENT ACT, 1993

##### LOI DE 1993 MODIFIANT DES LOIS EN CE QUI CONCERNE LES INFRACTIONS PROVINCIALES

Mrs Boyd moved second reading of the following bill:

Bill 47, An Act to amend certain Acts in respect of the Administration of Justice / Projet de loi 47, Loi modifiant certaines lois en ce qui concerne l'administration de la justice.

**Hon Brian A. Charlton (Government House Leader):** Mr Speaker, just before the parliamentary assistant starts with the bill, I believe we have agreement, so I'll seek unanimous consent for each of the three parties to split their opening statements; two people will speak for each party, and then we will rotate. Transportation and the Attorney General are going to start off for us, and then I believe the appropriate critics will follow for each of the opposition parties.

**The Speaker (Hon David Warner):** So the opening time of 90 minutes allotted would be split equally for each of the two opposition parties after the opening statement by the parliamentary assistant and the Attorney General, who will split the time equally. And what about comments and questions?

**Hon Mr Charlton:** I think the agreement on time in the House included that if members have comments and questions for both speakers, they may do so.

**The Speaker:** Is that procedure agreed to?

**Mr David Turnbull (York Mills):** Our party does not wish to split the opening remarks.

**Hon Mr Charlton:** I understood I had an agreement with your House leader this morning. You don't have to split; it's just that the agreement is there to do that if you wish.

**The Speaker:** Is the process agreed to? Agreed.

**Hon Mr Charlton:** It is my understanding that in our case the AG will lead off and the parliamentary assistant will follow.

**The Speaker:** The minister with her opening remarks.

**Hon Marion Boyd (Attorney General):** On June 9, 1993, this government introduced Bill 47, amendments to the Highway Traffic Act and the Provincial Offences Act, for first reading in this House. Our government is



committed to making Ontario roads the safest in North America by the year 1998. We have introduced initiatives which will deal with aggressive, impaired and inexperienced drivers in the months to come.

The legislation before you today will allow for the use of photo radar technology to reduce speeding and to reduce pressures on courts and police so that resources can be focused on more serious charges. I will speak first to the provisions being proposed for the Provincial Offences Act which will enable new safety measures to be effected.

Backlogs and delays have become facts of life in our courts dealing with minor provincial offences. This is because of a dramatic increase in the volume of charges in our system and because requests for trial have increased, even when there is no real intent on the part of the accused to dispute the charge. As a result, valuable court and police officer time is wasted on minor charges where nothing is disputed and, in some cases, when the accused does not attend the hearing at all.

During the last fiscal year in Metro Toronto alone, defendants were not present for nearly 32,000 of the 201,000 requested trials under the Provincial Offences Act. This figure represents a 10% increase over the previous year.

The changes that we are proposing to the Provincial Offences Act focus on the following matters:

First appearance courts will be established in high-volume areas such as Metro Toronto and in all areas where the photo radar initiative will be piloted.

Defendants wishing to dispute a charge must appear in person in court in order to schedule a trial. At that first appearance, defendants will be able to plead guilty and make submissions to a justice of the peace concerning the penalty. Experienced police officers will also be available to discuss charges with defendants. We expect that when defendants are clear about the law and about how their cases will be judged under the law, this process will result in more guilty pleas. In other cases, charges may be withdrawn or reduced once the facts are clear. In some cases, trials will still need to occur, and those trials will be scheduled in as timely a fashion as possible.

Defendants who have received parking tickets will go through a similar process in some municipalities. We will be working in partnership with the municipalities on this initiative.

Defendants under the above process, who are convicted without a hearing if they do not appear for trials, will be convicted without a hearing if they do not appear for trials scheduled at their request. A failure to appear will be treated in the same way as failure to respond to the ticket. Those who were unable to attend through no fault of their own will be able to apply to the court to have the matter reopened and subsequently tried.

Police officers will no longer have to attend every trial to prove charges. Certified statements of police and other enforcement officers will be admissible at trial if defendants do not indicate that they require the officer to attend court. This process will save time and money for both the courts and the police.

Justices of the peace will now be able to hear all Provincial Offences Act matters involving young people except where a youth may be placed in custody as a result.

A formal order will no longer have to be issued by a justice of the peace to suspend drivers' licences for defaulted fines. Now court staff will be able to direct the Ministry of Transportation to enforce the court order, and documents will be permitted to be filed and signed electronically.

All of these measures are designed to improve court efficiency, to reduce errors and to provide cost savings.

I also wish to announce today the amendments to the fine-default collections process. We are expanding the use of licence suspensions to collect fines to include a longer list of offences. At present, suspensions only apply to moving violations under the Highway Traffic Act. Now this method will be used for collecting fines for driving without insurance and for the misuse of snowmobiles and road vehicles.

We also want to ensure that jail is not used to enforce a fine when people are unable to pay. This has been a serious problem in the past, and we believe it is possible to introduce a method of ensuring that this does not happen. This new bill ensures that no one will be jailed without a hearing where he or she can raise the issue of ability to pay. The bill also removes jail as an enforcement tool in cases of public drunkenness and illegal possession of liquor.

The measures I've outlined today, as well as the measures that my colleague the parliamentary assistant for the Minister of Transportation will outline, will ensure that our roads and our society are safer for all Ontarians.

**1510**

**Mr George Dadamo (Windsor-Sandwich):** As my colleague the Attorney General has just said, this government is committed to making Ontario's roads the safest in North America. Bill 47 is one of several pieces of legislation in the government's comprehensive plan to achieve that goal.

The human price of highway collisions, more than 1,000 lost and 90,000 people injured annually, is not acceptable in this caring society. Add to that the human cost, the social costs of health care, insurance rates, property damages and lost wages and you see the massive scope of the problem. Collisions on our roads cost Ontario more than \$9 billion every year.

If 1,000 people every year die preventable deaths in

Ontario, shouldn't the government say "Stop" now? If 90,000 people every year are injured the same preventable way, shouldn't Ontario find a way to stop it? If \$9 billion is sucked out of our economy every year to pay for these needless casualties, isn't it time Ontario demands an end? Ontario doesn't have to accept the statistics and the trauma they represent.

Someone is killed every eight hours in Ontario in a vehicle collision. While I'm speaking to the House today, two people will be injured in collisions.

But these people are not killed and injured by bolts of lightning, by events beyond our control. Some 85%, 935 people with families, children and parents, are killed and injured because of driver error, drinking and driving, speeding and careless driving.

We can change driver behaviour and we have the means to change it now. That's why we support RIDE campaigns; that's why we promote seatbelt use; that's why we're testing chevron markers to educate drivers about safe stopping distances; that's why last April we announced a plan for graduated licensing of new drivers; and that's why in May we announced the integrated safety project.

The passage of Bill 47 will make possible some of the measures included in the integrated safety project. It allows for amendments to the Highway Traffic Act designed to make Ontario roads safer by reducing speeding and ensuring that drivers obey our traffic laws.

Our traditional enforcement techniques and our courts cannot solve the problems alone. The changes to the legislation introduced for second reading today give us new tools to ensure greater enforcement of our laws. And these measures do change driver behaviour; experience in other jurisdictions has shown they make a difference.

The changes to the Highway Traffic Act will allow for the use of photo-radar technology to reduce speeding. We do not introduce this technology lightly. In 1989 the state of Victoria, Australia, began using photo-radar. Since that year, the number of fatalities on its roads has been cut in half.

We know speeding is a major contributor to collisions that are likely to lead to severe injuries and fatalities. However, we also know that our traditional methods of enforcing speed limits only apprehend a small percentage of lawbreakers. Traditional radar enforcement compromises the safety of the public and the police, captures few offenders and is very expensive. Photo-radar technology, in contrast, is efficient, effective and safe. Drivers have a financial incentive to change their behaviour because they are more likely to be caught and convicted for speeding by photo-radar cameras. The amendments being introduced today make the owner of a vehicle liable for photo-radar speeding offences. If fines are not paid, we will not renew vehicle permits. Notices of offence for speeding vehicles captured by

photo-radar will now be sent through the mail.

As well, the amendments allow drivers' licences to be suspended when fines for motor vehicle related convictions under the Liquor Licence Act, among others, go unpaid.

Other amendments to the Highway Traffic Act contained in Bill 47 prohibit interference with the operation of photo-radar. We will increase the penalty for dirtying or obstructing licence plates.

These measures offer significant improvements to both road safety and the delivery of justice and law enforcement. If we can prevent any one of the 1,100 deaths or 90,000 injuries on Ontario roads each year, we have a responsibility to deliver on those improvements. We have an obligation to act.

**The Acting Speaker (Mr Noble Villeneuve):** I wish to thank the honourable parliamentary assistant. Comments or questions?

**Mr Charles Harnick (Willowdale):** Bill 47 is a very interesting bill. It contains an awful lot more than just some provisions dealing with photo-radar. It really deals with a whole code to revamp the way parking tickets are processed in the province of Ontario. It deals significantly with licence suspensions for non-payment of fines, and—

*Interjection.*

**Mr Harnick:** Oh, it's very interesting. What no one from the government side really wishes to allude to when they speak on behalf of their ministry is that this will permit the suspension of a licence because of non-payment of a fine under any act.

If you are in default and under any act, whether it's related to motor vehicles or auto insurance or something as distant as a veterinarian having his licence to practise veterinary medicine, if the Veterinarians Act says that someone who is in default of a fine can be suspended, then what this means is that they can have their licence suspended because it's under any act.

When I'm told that it's a matter of making roads safer and I see that if someone is a veterinarian, a lawyer, a doctor, a plumber, a pipefitter and they have a licence and under the act that licenses them to do their day-to-day work it says if they're under suspension they can't get that licence, it is very remote, very remote indeed, from the idea of driving an automobile. There are many provisions in this bill that are like that, and it goes much further than the surface.

**Mr Randy R. Hope (Chatham-Kent):** I'd just like to say to the ministry that in some conversations I've had with some teachers in my community they expressed great appreciation to the Ministry of Transportation for starting to take initiatives to try to control the speeds that are on our highways.

As most of us know, when we're driving down a highway and we see a red-and-white or a white-and-



blue, we always have a tendency to slow down so that the radar doesn't catch us. It's a clear identification. But what we're doing is just putting off another moment or another minute to an accident that may occur down the highway a little later.

I know a lot of us are geared by the clock. The old clock just tells us; even today in this Legislature, it tells me we have a few minutes to reply, and we have a few minutes to get to the next meeting and we could be running late. What it does is allow us to go beyond the speed limits that are there. I guess, as indicated in the statement, it says it's going to make us think about how fast we drive, the times we leave and all those other things that affect our society. It's going to make us have a second thought.

I agree, because I'm just like normal people. I do have a tendency to go over the speed limit every so often. I know it will be one that I'm not going to be pulled over for. I never know if the possibility of a bill is going to be in the mail that is unexpected. I know myself that I'm going to have to change my pattern of driving. With the meetings that we have and our schedules, it's going to make sure that I have to end a meeting at a certain time so I can be at the appropriate place at the right time.

So I think what the ministry is trying to do to correct our speeding initiatives is very important. We cannot put a police officer on every street to sit there with the radar and try to detect it. But I think the initiatives that we're trying to do make an awareness to the general public that there are speed limits that are posted. We may not agree with the speed limits that are there, but they're posted for the public safety.

I compliment them on their initiatives on the 401. I was wondering what all the white lines were until I understood what the explanation is about why all those white lines are there. So I'd like to say on behalf of the constituents that I represent, and some will be in disagreement with it, I compliment the ministry for its efforts in controlling speeding.

**The Acting Speaker:** Further questions or comments? The member for Windsor-Sandwich and parliamentary assistant to the Ministry of Transportation has two minutes in response.

**Mr Dadamo:** I wanted to respond to a couple of things, one being the suspension aspect of photo-radar. We want to talk about the fact that if you aren't the one who is in the vehicle at the time that the infraction is made, for example, if the licence plate happens to be kind of dirty and the numbers aren't picked up by the photo-radar machine and you want to take it to the courts because you say, "It wasn't me in the vehicle," first of all, you are responsible for your car. That will not change. That aspect is very important. Whoever should drive your car, you should know, and where it is at all times, I would imagine.

If you're talking about professional persons who will say to you that they're in a hurry and they have to be at a certain location at a certain time, and I'm sure police officers get that all the time, the right won't be taken away that you can take it to court and you can fight it. That will not change. That's going to be in the law and you have every right to do that. I wanted to respond to that.

1520

**The Acting Speaker:** Further debate? The honourable member for Nepean.

**Mr Hans Daigeler (Nepean):** Let me say there are a number of points that I wish to make, but I want to start out to say that I'm disappointed that the minister's not here. In fact I haven't seen him in quite a while; I don't know where he is.

I was trying to ask him some questions earlier this week about the ferry fees in eastern Ontario and I had to make a statement instead. I thought perhaps he might be here today to speak to this initiative of photo-radar and to what he calls a major safety initiative.

I will be putting forward the argument that this isn't a safety initiative at all but much more an initiative that seems to be coming out of the treasury. It's more revenue-related. I will be speaking to this at some length, but I want to say first of all that the member for Willowdale I think has done us a service by indicating that this bill touches on quite a few other things than just the photo-radar initiative.

There are a number of changes that are being made—in fact the bill is entitled An Act to amend certain Acts in respect of the Administration of Justice. That's very, very broad. In fact there are some changes in here.

"Section 4 amends the Liquor Licence Act by providing that no person may be imprisoned for conviction of unlawful possession of liquor or being intoxicated in a public place."

Perhaps that's progress and perhaps that reflects a little bit our growing, perhaps more mature, attitude towards use and possibly abuse of liquor. So that's perhaps something that it's time to change. We don't have to throw people into jail for this.

In fact I understand this is a provision that affected negatively in particular native people, and perhaps that's something that really needs to be changed. I am simply raising this to indicate, as the member for Willowdale has done very eloquently, that there are other items in this bill that need to be addressed. My colleague the member for St George-St David will I think touch on some of these aspects.

There's one that changes the court procedures in the way you can appeal a traffic fine. Frankly, I'm just not qualified enough to say whether that's a measure that will improve the court procedures or not. I guess if it does it's probably good, because certainly our courts are

plugged up and the delay in justice is a big problem in this province.

If we can find ways and means to speed up the court procedure and to find justice in the courts, I'd probably applaud this, although when I look at it from my lay perspective—I'm not a lawyer; I'm not involved in the court system—it sounds a little bit as though some rights are being taken away from individuals and there's more of an automatic conviction, as it were, without a real avenue to defend yourself properly in the courts. But perhaps I'm mistaken. There's not very much information, I must say, in the explanation of the bill with regard to this provision.

Frankly, I must say to the parliamentary assistant, since he's the only one left here now to defend the initiative of the government—the Attorney General I guess has left and has other things to do and the Minister of Transportation is away himself. I understand he is even out of the country, I'm not quite sure on what mission.

The parliamentary assistant for the Minister of Transportation perhaps should take notice that we weren't really provided with very much background information on this bill. In fact, when this matter was introduced on first reading, it was already raised as a big complaint from both opposition critics and opposition parties that we hadn't received a proper compendium at the time and that we should.

There are three ministries that could have sent things over to really make the argument that this is a safety measure and not a tax grab, a revenue grab. Since I haven't seen very much in terms of really showing that safety can directly be improved by this measure, I have to assume, in view of the fact that there are a lot of arguments to be made, that this is a revenue grab and not a safety measure.

**Mr Turnbull:** On a point of order, Mr Speaker: Following the approximately one-third attendance of the NDP today, I don't believe we have a quorum in the House.

**The Acting Speaker:** Could the Clerk check to see if we have a quorum, please.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present.

**The Acting Speaker:** The member for Nepean may resume his participation in the debate.

**Mr Daigler:** The member for York Mills will make sure that we have the attention of enough members of the government in the House here on an item that is of significant importance. I'm trying to find out whether it's of importance to the Treasurer or of importance to the Minister of Transportation and the Minister of

Health. Frankly, my suspicion, as I started to indicate, is that it is of more importance to the Treasurer than to anyone else.

Certainly if they go by the 100-kilometre speed limit, the photo-radar initiative—and I'm basically going to concentrate on that aspect of the bill before us—could produce a lot of money for the province. I stand to be corrected—again this is some information that I would like to hear from the parliamentary assistant—but some of the figures that I've heard are that it could be as high as \$150 million that could be brought in through this initiative; probably not while it's an experiment, but once it would be in place as a permanent feature it could easily turn into a very significant revenue-producer for the province.

The way the finances are and the way the Premier's putting the pressure on the Treasurer, I can understand that he's looking for any kind of avenue to collect more revenue in the province. I see that same emphasis in many other aspects of what this government is doing.

As I said a bit earlier, I was talking this week about ferry fees in eastern Ontario. We have an initiative that is being put forward under the guise of fairness. In reality, there is no fairness at all. The Premier himself admitted when he was down there in eastern Ontario talking to the people who are affected by these fees that there was no study done at all on how this will impact on the economy of Wolfe Island, Amherst Island and so on, so the argument of fairness hasn't really been investigated at all. Here, in the measure before us, I'm not convinced that the argument of safety has been really convincingly put forward.

1530

The argument, of course, that's been advanced or that the minister's trying to put forward makes the connection between speed and accidents in that the minister's saying, "If we can reduce the speed, then we should have fewer accidents, therefore fewer injuries, with all the associated costs in terms of the physical injury, in terms of psychological costs, but also financial costs, obviously, to OHIP."

If we can make that connection very convincingly, I'm willing to look at it. I think all members in the House are in favour of reducing injuries, and that's why the member for York Mills, the Conservative Transportation critic, and myself were very pleased to take part in the graduated licences hearings over the summer. We were all agreed that this is a measure that will improve the safety and will reduce the accident statistics in this province, because our younger drivers will have to take a longer time to train.

That's precisely the point: People who are experts in the field make the argument that it isn't really speed, but it's the training, it's the way people drive, which produces the accidents. I can tell you that I had in my office this week a real expert in driving, Gary Magwood



from the Labatt's driver training program.

**Mr Hope:** What makes him an expert? Give me some criteria. You could say I am an expert.

**Mr Daigeler:** The member for Chatham-Kent's saying, "What makes Gary Magwood an expert?" He is recognized by a lot of people in this whole country as one of the top driving instructors and driving experts in this province. He's making the argument that what really reduces accidents is driver training and advanced driver training. To the credit of the government, I think it recognizes that itself, by the advanced driver training test it's trying to bring in with the new graduated licences initiative. So the government recognizes it on the one hand; with this initiative, however, it doesn't recognize it.

You see, when you look at the way we are driving, you begin to wonder whether the problem is the driver or the way we set our speeds. Let's not forget that the reason we did reduce the driving speed limit on our highways wasn't really related to safety at all. It was because of the Americans, and then we followed suit.

**Mr Hope:** Burning up more gas.

**Mr Daigeler:** Precisely, because we were burning too much gas. It was related to the oil crisis in the early 1970s. It was felt that if we reduced the speed, then we could reduce the consumption of gasoline. I think at the time this probably was a worthwhile argument. However, it clearly shows that when we reduced the speed limit on these highways, it wasn't related to safety, it was related to conserving energy. I think that's a valid argument in itself.

Since then, both in terms of the fuel efficiency of our cars and in terms of the improvement to the technology of our cars, the way we build them, they've become safer and they've become more energy-efficient. So I think one could ask whether it is time to review in fact the speed limit on our highways, in particular because most of the people are not following the speed limit the way it's been established.

I have received some statistics. The one I have in front of me is a little bit dated; it's from 1990. Perhaps the ministry has other statistics, and I'm quite open to receiving them if they can show that our people have changed their attitudes since 1990 and have become perhaps more observant of our regulations. But I have here in front of me a report, a traffic survey that was held for just half an hour on the 401. At the time 197 cars were patrolled, and out of these 197 cars 85% were going at a speed of around 120 or 117 kilometres.

One can say, and I guess that's what the government wants to say, is, "We have to bring in more police and we have to make sure that we catch more speeders." Now they're saying we have to put up photo-radar machines so that when we catch the speeders, and I guess put the fear of the law into them, they'll reduce their speed and go back to 100.

I think that when there's such a clear not following of the rules one has to ask, are the rules still appropriate? That's something one has to look into because, as I just said, we did have the higher speed limits in the 1970s, as late as the early 1970s. I think it was in 1974 or something that we changed the speed limit, and really it wasn't related to safety considerations; it was related to energy conservation.

Really, as Gary Magwood has said to me, the speed is a red herring. It's the way people drive, whether they have enough distance from the other car. For example, somebody mentioned—

*Interjection.*

**Mr Daigeler:** Yes, it was in fact the member for Chatham-Kent who said that the chevrons that are being painted on the 401 are a good idea, and I agree with him. My daughter just passed a driver's test, and I told her: "Look out for the other guy. You yourself have to drive carefully, but be prepared for the other guy, and keeping your distance is a very important dimension of driving safely."

Just to say speed is the problem is too simplistic. Frankly, it's an approach that fits in perhaps with the NDP government. If this initiative that's in front of us were the only instance of this, fine, I would say okay, perhaps I would believe them, but we have many other cases that have been brought forward by this government where what we see really is Big Brother government that wants to make sure we're all doing the right thing, we're all following the laws. And if you don't, then the big government, the Big Brother, the big NDP government will come in with a big stick and make sure you follow the rules.

I tell you, even though I didn't support it in the end, a lot of people felt like that when we passed the bicycle helmet legislation, for example. There are a lot of people out there in my riding and elsewhere who really felt that initiative in itself also was very much a government-driven, a big government, a Big Brother initiative. There is that feeling out there.

I see the Minister of Municipal Affairs sitting right there. I'm glad that he's here, because he will hear very clearly and directly from me that his initiative of Bill 77, which the other members in the House may not be familiar with, also is seen, certainly in my area, Nepean, and in other municipalities of the Ottawa-Carleton area, as Big Brother telling us how we should run our affairs.

**Hon Ed Philip (Minister of Municipal Affairs):** That is the way the population of Ottawa-Carleton wanted it. The people of Ottawa-Carleton wanted it. Listen to your constituents.

**Mr Daigeler:** I tell the Minister of Municipal Affairs that this is not the way we want to go. We want to rule ourselves. We don't want to be dictated to by Queen's Park. We don't want to be dictated to how we run our wards, how we set up and how we govern ourselves by

the minister. We don't want to be dictated to by the Minister of Municipal Affairs.

1540

**Hon Mr Philip:** The wards were set up by the clerks. You don't even know what you are talking about. You are disagreeing with your own clerks.

**Mr Daigeler:** What I'm saying to the Minister of Municipal Affairs is that we have done very well looking after our own affairs. We are very satisfied with the way things are, and in fact many other municipalities could take a look at the way, for example, the city of Nepean is run and find a lot of efficiencies in its budgeting and in the way it distributes the revenues.

**Hon Mr Philip:** Yes. You pay for police and the others don't. That is fair, is it? Your taxpayers are paying more than his are.

**The Acting Speaker:** Order, please.

**Mr Daigeler:** This is a little bit beside the point, I understand, but I'm just using this—

**Hon Mr Philip:** You better talk to your taxpayers before you make announcements.

**Mr Daigeler:** Mr Speaker, do I have the floor?

**The Acting Speaker:** Order. I want to remind all members that the member for Nepean does indeed have the floor very legitimately, and other members will have the opportunity of replying and questioning.

**Mr Daigeler:** Since the Minister of Municipal Affairs keeps yelling across the floor and interrupting my presentation here in the House, I invite him to come to Nepean, if he has so much to say, and speak to the voters and the people of Nepean. He hasn't done so, so far. He has been invited and he has been asked to come to Nepean and speak and meet the public there. If he has so much to say and he can't keep quiet right now and must keep interrupting me, I invite him to come to Nepean and be present and speak to the people about Bill 77 in Nepean.

**Mr Hope:** Are you speaking on the bill?

**Mr Gordon Mills (Durham East):** It's Bill 47, not Bill 77.

**Mr Daigeler:** It is true that we're talking about Bill 47. I was making the point about Bill 77 because there too I see the same principles, the same approach at work that we have here with regard to photo-radar, and that approach is big government: "We know best. You don't really know what you're doing. You have to have somebody behind you who'll make sure you're doing the right thing."

Perhaps the intentions are honourable. You know, the minister has said and the parliamentary assistant has repeated, "We want to save lives; safety's our concern." I think that's an honourable intention. I don't have any difficulty with that. Frankly, like so often with many of the NDP ideas and policies, they're good ideas, they're

good intentions, but when it comes to the implementation and to actually doing it, we see that what comes out of it is simply more bureaucracy, more enforcement. Instead of leaving some initiative still to the individual, the way we, as Liberals, would like to see happen, the government wants to come in here with more police, more supervision and more fine collection.

I want to say very clearly that we feel that this measure is primarily a revenue measure and not a safety measure, and I'm not the only one who feels like this. In fact, when this measure was first announced, there were several articles that were written across the province, and I have one in front of me here from the Sudbury Star. Here's what they said when this measure was first announced. They say this could be an administrative nightmare because they will have to collect so much money. "If you assume that nine out of every 10 cars is speeding, the camera could take nine out of every 10 cars' pictures." Just think of the revenue that's associated with this.

They're also quoting a police officer, and guess what the police officer said in this article in the Sudbury Star. This police officer is quoted as saying: "It will be a public relations nightmare for the police, because people don't like it. They have seen that government is on their back all the time already with taxes and everything. We know the reaction that's going to be shown on Monday."

All of this falls into the same boat. Here's government again trying to act in our best interests. People are saying, "You stay away from it; I'll look after my own interests." In particular, if it is shown that most of the people—and as I have said, about 85% were not following this particular route.

**Mr Hope:** They probably know where the radar's been set.

**Mr Daigeler:** There's also—the member for Chatham-Kent is making perhaps a good point. I'm not quite sure whether I fully understood what he was yelling across the floor but I think he said we don't know where the police will set the cutoff, as it were, whether in fact they're going to set the machine at 100 kilometres, the way I guess it's supposed to be, or whether they're going to set it at 110 or 120. And that's the big question. Are they going to set it at 100 kilometres and if you're over by one kilometre or two you're going to get that big ticket and that big fine? Nobody knows. We don't know.

**Mr Hope:** What's the law?

**Mr Daigeler:** The law obviously is 100 kilometres.

**Mr Hope:** That's right. That's what you should be driving.

**Mr Daigeler:** So is it going to be 101, 102 or 100? If it is 100 kilometres, I can certainly tell—

**Mr Hope:** It is 100. That is the law.



**The Acting Speaker:** Order, please. I would remind the member to address the Chair, and interjections are definitely out of order. You will have the opportunity later to participate.

**Mr Daigeler:** Thank you very much, Mr Speaker, because you're quite right. One does get interrupted quite often and gets carried away with all the interruptions that are coming from the other side of the House. I will make an effort to address you, Mr Speaker, because I am sure you are interested in how this affects especially the driving on the 401 because I think you drive there probably often enough. I'm not sure whether you would look forward to seeing all these fancy gizmos there on the 401 that perhaps might trap you. The member for Willowdale says that this could possibly even lead to the withdrawal of licences. I don't know how that would affect you, Mr Speaker, but I hope not too forcefully because you have done a good job in the chair.

I should also say that the North Bay Nugget is another newspaper that was writing about this initiative when it was first introduced. Here's what the North Bay Nugget said, and I'm quoting: "So you were under the impression that George Orwell's book 1984 was fiction and could and would never happen. Well, you'd better start thinking it over.

"What else would you call the Ontario government's plan to use radar-directed cameras beginning next year? In a few years, Big Brother—"—that's not me talking here, that's the North Bay Nugget—"or Candid Camera, if you will—will be all over the highways in Ontario." Further on in this article they say, "We don't condone speeding on highways or city streets, but this plan is going too far."

I think that is the point that I'm trying to make here, that this initiative may be well-intentioned, but it is going too far and it is going to bring in too much revenue for the government.

I should also say that I've received some letters on this initiative. This one here in particular is from a Mr Eli Marder from Toronto, and here's what he has to say. First of all, he says that usually he's one of the silent masses of our province of Ontario but he feels compelled at this time to make his opinion known, and he's writing with regard to Bill 47.

Here's what he says: "I feel very strongly that the new photo radar is the wrong way to go. It doesn't ticket the driver," and that's a point that I haven't come to; I will be coming to it very shortly, "but rather the registered owner of the vehicle, which makes this type of ticket less a punishment for breaking the law and more a way of generating revenue." In brackets he says, "Just what we need, another hidden tax.

"In a sense, this would be like throwing the owner of a handgun in jail because the gun used to hold up a store belonged to him, even though it couldn't be

proven that the owner of the gun was at the scene of the crime at the time."

This is Mr Eli Marder. He does point out a very important second deficiency in this bill and that's the fact that it isn't going to be the driver who's going to receive the ticket; it's going to be the owner of the car. I think that is a measure that probably irks people the most, that they are going to be fully responsible for whatever error the driver of the car may have committed.

1550

Frankly, there's a sense of fairness among our people out there, and they say that if you do something, you suffer the consequences. But being responsible for somebody else's actions, being responsible for how somebody else drives: People feel that's going too far. That's no longer due process. I think in this country we don't operate that way.

Apparently there was a time when something like that happened. I'm told that up to 1959 it was possible to send out tickets to the owners of vehicles and not the drivers. The government at the time was the old Tories. I don't know whether after the election on Monday there are going to be any traditional Tories left or whether they're all going to be Reform. Anyway, in 1959 I think those were the old Tories, and may I say—perhaps I shouldn't—those were the good Tories, the ones who have apparently now gone by the wayside and are going to be taken over by the Reform Party. We'll see whether the provincial Conservative Party is also going to adopt the Reform platform or whether it's going to stay with the Bill Davis-Leslie Frost-middle-of-the-road type of position. It's going to be very interesting to observe.

**Mr Tim Murphy (St George-St David):** Frank Miller finally won the leadership.

**Mr Daigeler:** My colleague from St George-St David just said, "Frank Miller finally won the leadership." Well, I think with Mike Harris he already had won the leadership, because I think they're very, very close cousins in their philosophical right-wing orientation.

Anyway, what I wanted to say is that in 1959 a Conservative government at the time made the right decision. They outlawed that and in fact they said: "This is no longer possible. You have to charge the driver and not the owner of the car." So really what the NDP is doing is they're going back to something that was kicked out more than 30 years ago and they're really entering into—I don't want to say "a police state," because I think that's going too far—a way of running our affairs, enforcing our laws, that really the normal and ordinary person here simply finds exaggerated.

They say to charge the owner of the car, who may not have been there at all, and let him or her carry the

responsibility for what may have been a traffic offence is just unfair; it's not the right thing; it's not how we want to run this province. That's what the people say, and they have a sense of fairness.

On top of it, you can say of course you are probably going to get that ticket only three or four weeks after the event, so how is the owner of the car going to know exactly who drove the car three or four weeks before? You have to start logging now exactly who did what, when, where. It just sums up to making things a lot more cumbersome and a lot more bureaucratic and a lot more revenue-producing.

Another point I think that is made about using the photo-radar by the people who have come to me, and it wasn't only Gary Magwood, there were others who have come to see me from the national motorists' association and who are making a very good point, is that because there will no longer be a direct contact between the police and the driver, we will no longer be able to detect not just the speeding infraction but perhaps some of the other problems the driver has. In fact, somewhere in the material I've read in preparation for my speech this afternoon it showed that more than half of the people who were stopped for speeding had other problems and in fact they were under suspended licences. So the police, when they were stopping the drivers, were in fact doing a great service to all of us because they were finding people who were breaking the laws in other ways. They may have been, for example, intoxicated.

I think that's a very important consideration that is being made by, for example, the national motorists' association, that through the direct contact between the police and the speeding driver, if they have to give him or her a ticket, they also can check his driver's licence and they can check the car and make sure everything else is in order. With this photo-radar, with this automatic gizmo there, we're losing that very important dimension of safety on our roads and making sure we keep those off the road who are not supposed to be there.

Frankly, I must say I was surprised when I read that there were so many people who were driving even though they were under suspension. Again, through the hearings this summer with the graduated licences, I heard that a lot of the serious accidents are actually caused by drivers who are under suspension, who are not even supposed to be there.

The more, I think, we can catch drivers who are under suspension, the better. However, with photo-radar this will no longer be possible at all because you're going to get the ticket and there won't be any personal contact. The only personal contact is when you get the thing in the mail, a nice little picture, and it won't show who the driver was but it will show the licence plate. That's the contact that's going to be there, so there will

be no checking at all as to whether you are in fact the proper owner of the vehicle and whether there were any other problems that you had at the time of driving.

One other element that really is being put forward is the price of these units. How effective can they really be in terms of protecting safety for the people of this province when each unit costs about \$80,000? We may be able to put them up in a few places at that kind of cost, but unless my warning comes true, which is that they're going to be a top revenue producer and we're going to use that revenue in order to buy more machines and therefore create more revenue, I don't think there are going to be too many around in this province. Therefore, obviously, we're not going to do very much, simply from a statistics point of view, with regard to safety.

I have very grave doubts that this measure really will achieve what the parliamentary assistant has said it will. He said it's going to be a safety measure; it's going to make our roads safer. When I saw that this measure was actually prepared not by the Ministry of Transportation—when I looked at the package that was handed out, I think it was in May, where all the so-called safety measures were presented by the government, I saw that this measure with regard to photo-radar was prepared by the Ministry of the Solicitor General and Correctional Services. They had the responsibility for this initiative. It wasn't the Ministry of Transportation; it was a working group in the Ministry of the Solicitor General. I have to ask myself why that was, and if there's a good reason, again, I'm prepared to listen to it.

As I said at the beginning, we didn't get very much background from the ministry, and in some of the comments the parliamentary assistant will make later on perhaps he can address this. I just want to say that the fact this was prepared by the Solicitor General and not the Minister of Transportation again increases my suspicion about this measure being a revenue grab and not a safety measure.

With these comments, I will leave some time for my colleague the member for St George-St David, who will talk about some of the other measures that are in this bill. I look forward to further debate about this matter. Also, on some of the questions I've raised, I look forward to some response from the parliamentary assistant. Perhaps in committee we can hear more details from the government about why it thinks this is a safety measure and not a tax grab.

1600

**The Acting Speaker:** As originally agreed, the two lead participants for the official opposition may divide the time, so the member for St George-St David has some 50 minutes left.

**Mr Murphy:** I appreciate the opportunity to speak to this bill and to some of its aspects. It has been, as my colleague stated, sold as a photo-radar bill, although



there is much more than that in this bill: It amends the Highway Traffic Act, the Provincial Offences Act, the Liquor Licence Act, the Game and Fish Act. I think that's probably about it.

There are some provisions which I think are heading in the right direction and others that I have real concern about. One issue I do support in principle in terms of what this is trying to do, and that is the section dealing with what happens with people who are fined and then are unable to pay their fine. As I think I've said before in this House, I have on occasion acted, prior to being elected to this assembly, as a part-time assistant crown attorney and have seen people who have come before the court and indicated at the time of sentencing that they were unable to pay the fine.

In some real instances, that results in one of two things happening: either a suspended sentence, in some cases, with probationary terms; or in others, it can mean that people spend some time in jail because they didn't have the money. That strikes me that there is a certain imbalance in the way our system operates for people who don't have a lot of money.

I asked an order paper question of the Solicitor General, the Minister of Correctional Services, about the number of people who are in our provincial institutions because of inability to pay fines; essentially, those who default on a fine. It numbers in the thousands. When we think about the amount we spend on justice in our society, especially in relation to how much we spend on justice after the fact, once a crime has occurred, versus how much we spend on prevention, it doesn't make a lot of sense to spend a lot of money putting people in jail when the only reason they're in there is because they can't afford a fine.

It strikes me as setting up, to a certain extent, a two-tiered system of justice, and I have a problem with that. A provision that looks at and gives another opportunity to people who have been unable to pay a fine before they may get sentenced to jail is a good thing and a thing that's heading in the right direction.

Whether this in its particulars will serve that purpose effectively, I'm not quite sure. One of the things I can think of, for example, is that there's often a circumstance where the homeless and others may have been fined. I can think of public drunkenness being a fine offence, although this may change some of that, or vagrancy or other things which can lead to altercations that can result in an imposition of a fine, either arising out of a Criminal Code or other statute. Often these people will not have an address, and the way in which this hearing related to the default is going to be triggered requires the mailing of a summons to an address for service purposes, especially if there's an inability to attend at a hearing. I can think of a number of people who, as a result of their homeless state, being in a shelter or some other kind of service to the homeless,

may have a problem receiving that notice. That's something we can look at in committee, can look at further.

I'm not saying I've read this entirely right, and perhaps the ministry officials or the Attorney General can point me in the right direction. But I think this is an attempt to do something which I support at least in principle, because it is something that I was concerned about, and my order paper question—which I put to I believe the Minister of Correctional Services, but I'll have to check that—was getting at this concern and this problem.

I am concerned, like the member for Willowdale, with the provision in what will be subsection 69(2) related to the powers of the justice of the peace in terms of being able to take away a "permit, licence, registration or privilege...under any act." I have two concerns. One of them is how broad the scope of that provision is. It's incredibly broad, and I think that's not its intent. I think I know what they're trying to get at. They're trying to administer the system of justice in a way that makes it both effective and, importantly, efficient, but I think this overreaches that.

I also have another concern that, frankly, relates to what justices of the peace do, to what we ask of them in the system and their role, related to how much training they actually get. I think it's clear that justices of the peace can have a large role both in quasi-criminal areas like this one and fully criminal areas. For example, in the laying of private information, they can lay that information or have it be laid before them so that a process can be issued with respect to criminal proceedings. Frankly, we have both per diem and salaried justices of the peace who I do not think have had sufficient training to be able to deal with those problems.

I could think, for example, of the series of charges that were initially laid against certain federal politicians before a justice of the peace by a disgruntled individual. There's something that needs to be looked at. I'm concerned about giving justices of the peace as much power as this provision seems to be able to provide to them without ensuring that we have adequate training and an adequate opportunity to look at what justices of the peace are doing.

I have, as well, some concerns about what this bill actually is going to do. I think it's interesting to look at what will be now subsection 207(7) of the Highway Traffic Act. This is what happens if you're convicted of a moving violation under the Highway Traffic Act. It says, "An owner of a motor vehicle convicted of an offence under section 128" of the Highway Traffic Act, which is essentially the speeding section, "on the basis of evidence acquired through the use of a photo-radar system is not liable to imprisonment or a driver's licence suspension as a result of that conviction or as a

result of default in payment of a fine resulting from that conviction."

What we end up with is a paper tiger, because what you're saying is: "You can speed. We'll have the photo-radar there. It will take the picture. If you get convicted, you'll have to pay the fine, but you won't, as a result of that, be liable to a driver's licence suspension or imprisonment or any of the other normal things that would have come from a conviction if you were pulled over by the police."

What we really end up with because of this provision is a sort of tollgating for speeding, because you'll be able to speed, as long as you can pay the fine. That's my concern about how this bill is drafted.

1610

**Mr Mills:** It will get monotonous after a bit.

**Mr Murphy:** Of course, the member for Durham East has always made his valuable and loud interjections and I always appreciate them, but some of that very experience in other jurisdictions where they've tried this—in British Columbia, for example, they had that very conclusion: "New Radar No Break for Drivers." What they were seeing was that people were continuing to speed; they just pay the fine. That is a concern to me.

I had some indication that perhaps there might be amendments to deal with this provision, that you were going to provide further sanctions to owners of the vehicle for speeding with respect to a photo-radar offence notice.

That, however, raises a different problem for me, which I think is a constitutional one under the charter. It strikes me that you're going to result in the taking away of a driver's licence as a result of a reverse-onus provision, in effect, because what you're requiring is that notice gets mailed to the owner of the car, and that owner then is required, in order to defend himself or herself, to go to the court and prove they were not the driver. That, in essence, goes against some of the very fundamental tenets of our justice system. The question then becomes, how do you balance the penalty for a reverse onus against how much you're taking away from what we believe is fundamental, as a group, to the justice system?

If you start moving towards taking away licences in a reverse-onus context, you're going to run into trouble with the charter. I don't know whether there has been a legal opinion. I know there have been some challenges to similar provisions in other jurisdictions, with what I believe to be mixed success; successful in one case and not in another. I would appreciate hearing from the parliamentary assistant about what legal opinions they have on this point and how far they believe they can go.

But as it stands now, that provision is the provision that leads me to the conclusion that what we do have

here is an act that's primarily focused on the raising of revenue. I heard the Minister of Transportation in the House say speed kills, and I agree with that. I have no problem with that proposition, and I don't think anybody in this House or anybody in the province would disagree with the proposition, except maybe Nigel Mansell or someone like that, but I think they would too.

Here's the issue: The question really is, how do you effectively deal with the issue so that you get people to slow down? My concern is that the experience with this has been not that people slow down but that they just pay the fine, especially in the context of subsection 207(7), as proposed in the bill, because there is only a financial consequence to the owner and no other.

The way it's worded is important because it separates out, in an odd sort of way, a driver who isn't an owner. A driver who isn't an owner, as far as I can read this, can be subject to a driver's licence suspension as a result of the conviction and imprisonment or suspension as a result of default in payment. That's an odd dichotomy, it seems to me. I'm not exactly sure what the justification for that split is, and I hope to hear from the parliamentary assistant on that. I'm sure he has an answer, or at least I hope he does.

I know the member for Durham East is going to speak. I always appreciate, as I said, his interjections, and I hope he will elucidate all of us on that, because he always is a fount of a certain amount of knowledge anyway. I know when he was an alderman in my home town of Barrie we—

**Mr Mills:** Did I represent you?

**Mr Murphy:** You didn't represent me, member for Durham East, because I didn't live in your ward, to be honest. He represented my home town, though, and I certainly remember. In fact, if I remember correctly, I even protested against him when they tore down the old city hall in my home town. But that's another and different time.

**Mr Daigeler:** You mean he was tearing down heritage properties?

**Mr Murphy:** Heritage property; it's true. It was a shame.

**Mr Mills:** I voted against it.

**Mr Murphy:** I hear the member saying he voted against it, and I'm certainly happy he did.

**Mr Daigeler:** Let's check the record.

**Mr Murphy:** Well, I doubt they have records for then. But they have a beautiful metal arch now for the old city hall, which I would say doesn't quite give it the historic elements that the actual building itself would have, although driving under it is quite a thrill.

**The Acting Speaker:** I want to remind the honourable member that we are dealing with second reading of Bill 47.



**Mr Murphy:** I was, because as you will hear, Mr Speaker, just at the end I referred to driving, and I was coming back to that, because I was driving under the arch within the limits posted.

I am concerned too about the extent to which there will be administrative errors in the system. I suppose that's inherent in the photo-radar system in any event. Because of the fact that you're taking a shot of a licence, you're going to have a number of licences where you'll get a number wrong, a number changed, and as a result you will have an influx of people into the system who may clog up the system a bit because of that administrative error.

As a quirk and a related point, I took a quick look, and I may be wrong, but I doublechecked how much the fine was for obstructing your licence. At least in the last version of the Highway Traffic Act I looked at, the fine is somewhere between \$20 and \$50. That concerns me because what that means is someone can come along—and I know somewhere there are these radar foils which have been available out west. They were being sold for a small sum.

Out in British Columbia the fine was \$35, compared to the speeding ticket, so people were buying them up like the proverbial hot cakes because it was much cheaper than the speeding fine, and as well didn't come with any of the other difficulties that a speeding fine can come with. I hope there'll be some looking at the comparison between the fine for obstructing your licence plate and the fine for speeding.

I'd also like to turn to the issue of what else we really should have in here. Mr Speaker, you will recall a tragic accident in Caledon recently where a number of young people were killed. Two factors were involved in that: One was speed and one, it is alleged, was alcohol. How big a role is difficult to say, but one of the most disturbing figures I've seen in a long time, and I may not have it entirely accurate, is the figure that the number one killer of our youth between 16 and 19 years of age is highway traffic accidents. That's an awful carnage, and we, as legislators, have a real obligation to do what we can to reduce that in every way we can.

My colleague the member for Mississauga North has introduced an amendment to the Highway Traffic Act which I hope the government will consider—easily done in the context of an omnibus bill—because there is currently a loophole in the Highway Traffic Act related to alcohol consumption. As we all recognize, if we drive a car with greater than the legal limit of alcohol in our body, we will on conviction have our licence suspended for at least a year. This applies to a person of whatever age.

Of course, we are aware that the drinking age in the province is 19. However, if a person under the age of 19 breaks that law, in other words, has alcohol in his or her body and is driving a vehicle, there is no driving

penalty. My friend from Mississauga North has proposed an amendment to impose a penalty on conviction of a person under the legal age for drinking and driving a car. It's a fairly simple amendment and I hope the government will consider that.

I think the combination of alcohol and speed is by far the deadliest combination. As my father used to say, once you get above in his time about 60 miles an hour, you're no longer steering the car, you're aiming it. I think that's quite true. Back in those days I can remember those 400-horsepower cars going about 90 miles an hour down Highway 400.

When you think about the split-second judgements you have to make at that speed and the degree to which even the smallest amount of alcohol can affect your judgement as to timing and as to what you should do in a dangerous situation, it strikes me that a zero-tolerance attitude, especially within our young group, is highly appropriate. I know the graduated licensing idea is moving towards that and I think, in principle, that is a good thing. This is another provision that I think should be added to assist us in trying to reduce that very horrible carnage and waste of potential and opportunity in our youth who are killed in car accidents.

1620

Let me say I think that I should give some credit where credit is due. I think moving forward on the concept of reducing speeding is a good thing and I think we all support that idea in principle. As I said, I think this unfortunately isn't going to have that effect. It may be that there are changes we can make in committee, and there probably can be, that will improve it, but as it stands now I don't think it does. I think that we have a bill that is going to provide an opportunity for speeders to continue to speed. There are two reasons for that.

One of them I pointed out, of course, was the fact that the way it's written now it's really just a tollgate, much like what's going to happen on Highway 407 at some point. You just pay your \$75 or \$100, whatever the fine is, and then you'll continue speeding, because there is no real sanction other than the payment of fines. That of course concerns me.

The other one relates to the Provincial Offences Act and some of the particulars in there. I think probably we can go through that more appropriately in committee and I hope to be able to participate in that. I don't need to go into that in detail on second reading in debating the principle of the bill.

I do think that we do need to look at things that improve the justice system, that make it more accessible. I know from experience that highway traffic courts are a clogged mess in this province, that it's a bit of a flip of a coin as to whether justice frankly is even served in terms of policing what happens on our highways. Whether the police officer shows up is often a

questionable assumption, or whether the accused will show up, but then the police officer has to show up because the accused doesn't. Oftentimes the accused and the police officer show up but no paper record shows up.

So there is a system that is expensive to administer. It's expensive for the individuals who are involved because they have to take days off work to come to the system and someone isn't there. I have concerns about that, because it's a system that ends up spending money in a way that provides justice to those who can have access to legal aid and justice to those who can afford to have a lawyer, and as we all know, especially me, having practised law for a period of time before coming here, lawyers are expensive. So there's a vast and frankly growing middle class—

**Mr Mills:** You bet. I defend myself.

**Mr Murphy:** I just heard the member for Durham East say he defends himself. Of course the saying is—

**Mr Harnick:** No, he probably does better.

**Mr Murphy:** He probably does better, but isn't the saying that a client who has himself for a lawyer has a fool for a client? But of course I wouldn't say that about the member for Durham East.

But I do think there is a concern about middle-class access to justice in this province, because I think we're moving towards a system where it is too expensive for people to resolve their disputes through the justice system, because we are ever increasing the hoops through which people have to go in both the civil and criminal system. We are increasing the safeguards, increasing the steps, increasing the paperwork. Lawyers, like everyone else, are having to respond to the pressures of the time and increase their fees. It could cost thousands of dollars to defend yourself on a simple speeding violation if you were paying by fee, and this is a very difficult thing for most people to afford.

I provided advice to people who came to me and said, "We have a problem. It's not a significant amount of money. It'll have some impact on me," if it was a criminal circumstance. I would ask, "How much can you afford?" Oftentimes I would have to say: "It would cost you more than you can pay. You'll be better off if you settle." Sometimes, frankly, it meant that people pled guilty and paid a fine who were not guilty of what happened because it was easier, because it was cheaper.

That concerns me as a lawyer and as a legislator, because that is not the kind of justice system we want to have. I think that of things that we can do to change that system, to make it better, to make it more accessible, one of the things that we should look at—I know there are concerns about the constitutionality of it, but I think it is worthwhile looking at alternative dispute resolution mechanisms, because we can resolve certain disputes outside the expensive legal processes in a way that may have quicker justice, more effective justice

and, more importantly, cheap—or should I say more appropriately "inexpensive"?—justice. Often when people talk about the justice system, they don't factor in the cost of achieving justice when they talk about it in the abstract, but in the real world of the justice system, the cost is often the most important consideration.

I know I've ranged somewhat far afield, but I am coming back to this bill, although it does provide the opportunity for a fair amount of range, because it even amends, as I said, the Game and Fish Act and the Liquor Licence Act. I just want to talk briefly about that. I do think the amendment to the Liquor Licence Act is a good one. That goes back to the comments I made about who we put in jail in our system.

We just don't have, it seems to me, a system that can any more accommodate, if it ever could have or should have, putting people in jail for what are, frankly, what the Americans call misdemeanours, which is a term we don't have but which I think captures the spirit of these kinds of offences. They are things that we want to regulate as a society, but we don't really want to have a criminal sanction or that kind of aura around what they do. So we should keep it out of the jail system.

The jails are for, and should be for, that criminal sanction, that aura of criminality, where we want to tell people, "This is wrong." The jails are for those things we want to tell people they should not do in a significant and real way. This is really a regulatory idea, like public consumption of alcohol or misuse of alcohol in certain circumstances. So I think taking imprisonment out of the realm of punishment for those kinds of offences is a good thing to do.

As for the Game and Fish Act, frankly, I have to admit I'm not sufficiently familiar with it to know whether this is a good thing or not. I bow to others who have a higher and better knowledge. I'm sure the member for Durham East will speak to that, because I know how keenly interested in it his constituents are, at least in the north end.

I am a bit concerned about how this bill is going to impact on the owner-versus-driver question. I did hear the Minister of Transportation—or, sorry, the parliamentary assistant to the Minister of Transportation. I guess I'm getting ahead of myself. Maybe the shuffle is coming; I don't know.

**Mr Daigeler:** The minister keeps away.

**Mr Murphy:** Yes, at least we have you here, which is a virtue almost worthy of elevation.

There is a distinction between an owner and a driver. What is happening under this bill, of course, is the licence plate is something that is attached to an owner and not a driver. So what will happen is the offence notice gets sent off and you have a certain time period within which to respond. If you fail to respond, a conviction is registered. Upon becoming aware, you have a certain time to then respond, and I can think of



certain things within at least the realm of experience that I'm aware of, of a number of people, for example, who go south for a period of time in the winter but who leave their cars with family members and others. There are some people in my riding who do that—in fact some family members who do that.

1630

What often happens is those family members aren't resident with the people whose car it is, and what could happen, and it concerns me, is that the offence notice gets sent, the conviction gets registered, and then upon the return, there's a fair amount of burden suddenly placed on the owner of the car who's not the driver to go through a lot of hoops to maybe overturn the conviction.

What I'm hoping the parliamentary assistant to the Minister of Transportation can assure me or can advise me or can look into and report back on, perhaps in the committee process, is whether there is a way that would make it easier in this system. I can think, for example, whether there is a provision for perhaps, instead of "I'm going to dispute the notice" and requiring a trial, some kind of affidavit in a short form way be filed by an owner saying, under oath, in essence, "I wasn't the driver; I wasn't aware; you shouldn't convict me," to save the requirement to go back, to go in front of a justice, to have the trial and go through the hoops, especially in circumstances where they may not be aware.

I'm wondering if the parliamentary assistant could look into that and perhaps talk with his equivalent with the Attorney General and see if there is some way we can streamline that process so there's less of a burden on the owner in circumstances like that. I think, frankly, it could make the system more efficient because you could even do it by standard form, I would expect, with going to a notary public, a lawyer or commissioner, in certain circumstances. They could go and sign a piece of paper that says, "I wasn't the driver." That gets filed and that takes care of it.

Then you place the onus back on the prosecutor to decide whether he wants to bother to take that person to court because he doesn't believe the circumstances. I think that is more appropriate a burden, that the state should bear that burden as opposed to the driver.

I don't see that in there. I may be wrong, but I've read through it and I don't see that kind of opportunity here. There are similar kinds of opportunities. Section 205.13 provides for the filing of an affidavit upon becoming aware in order to overturn the conviction, but the result is straight back into a trial.

I think there should be an opportunity there to move straight to a not-guilty finding, and it might even be something you then extend not just once a conviction is registered but before a conviction is registered, so as soon as the offence notice is received, an owner is given

an opportunity to say, "I'm not the driver," in a fairly summary way and save the state, the driver or the owner the cost of appearing and all the unnecessary paperwork of going through a trial. I think that would be both more efficient and more effective, and I hope the government will consider that.

There are other particulars in the bill. I think we can deal with a substantial number of those in committee, and I hope we get that opportunity. I do appreciate the opportunity to speak to this bill, and I look forward to the contributions of others, and of course particularly the contribution of the member for Durham East.

**The Acting Speaker (Ms Margaret H. Harrington):** We now have time for questions and/or comments.

**Mr Mills:** I listened to the speech from the member for Nepean with bated breath and I can tell you that he said that he would need some convictions and some evidence to change his mind to support photo-radar, and—and he will be familiar with this—like St Paul on the road to Damascus, I will attempt to convert him through my contributions later on.

The member spoke briefly of the effect of the fuel embargo on the United States, which caused them to lower the speed limit and he said that was because of the fuel shortage, and it was, but the effect that he didn't touch on was the dramatic reduction in accidents and, moreover, the dramatic reduction in fatal accidents on all the roads across the United States. That had such a profound effect on the legislators of the United States that when the fuel shortages ended and the embargo ended and gas flowed freely in that country, a lot of jurisdictions thought twice about, "Should we increase the speed limit or should we keep it as it is in view of the dramatic savings of lives?"

Of course, we know, and the member for Nepean knows, that the overall thing with the Americans is driving their cars at great speeds and we know that the commonsense thought on saving lives was overruled by the fact that the Americans love cars, they love going at high speeds, and that ruled the day through the automobile associations and all those lobbies that took place.

But I welcome the opportunity later on to convert the member to seeing it our way.

**Mr Hope:** I have a few comments, and one is about the issue about the owner of the car taking responsibility for it. If your daughter or son or somebody else has the vehicle and they get in an auto accident, it's your insurance rates that go up, even though you weren't the driver of the car. You're still affected and I don't see the member opposite talking about the insurance industry.

Unlike the member for Nepean, also to move back into the memory banks and the archives a bit, when they did a driver's test—because the driver test says, "When you were driving down the 401, what is the

speed limit?" It was a multiple-choice question. "Is it 90, is it 100, is it 110 and is it 120?" If you answered 110 you were wrong, if you answered 120 you were wrong and if you answered 90 you were wrong. The speed limit is 100. That's what you're supposed to be driving.

When he talks about the police officers pulling over people, how many police officers really like to get out on the 401? I drive it quite often and let me tell you, if you think I'm a bad driver, there's a lot of them out there who are just—I'd be afraid to open up the door just to check on a speeder.

What this also does is allows people, the officers, more time to focus. You mention the issue about drunk drivers. It gives them an opportunity to examine and focus their energy on drunk drivers who are on the highway and are going all over. It also gives them an opportunity to pay attention to the communities they represent, and "community" has a wide definition for police officers, to focus on other safety elements.

This issue is very important. What we're trying to do is make people more aware that the speed limit, when posted, is that speed limit. It's not 110. We all know, and a lot of people know, that radars are probably focused at 117 kilometres or 120 kilometres and then it's the judgement of the officer what he wants to do. What this does is put an emphasis back on getting controls of the speed limits that are there.

You say it's a tax grab. Let me tell you, if you break any other rules or laws that are in there, you're going to pay a fine. That's exactly what this is. So don't drive over the speed limit and don't worry about any of the issues that you raise for it, about the courts and paying the fines.

**Mr Harnick:** It's very interesting that the Attorney General said that the purpose of this legislation was very much directed at—and she said three things. She said it's directed at improving court efficiency, it's directed at reducing errors and it's directed at cost savings. As well, it's directed to the goal of this government, which, in many respects and in many pieces of legislation, has been to make our highways safer. All of those are very laudable goals that no one in this Legislature would deny.

What you've got to strike in dealing with a piece of legislation such as photo-radar is, what is the proper balance here? Can we have a system where we start to turn our back on all of the basic rights and freedoms of a person who has not yet been convicted, an innocent person who must be proved guilty?

What we are doing with this piece of legislation is saying in many respects: "Let's set up a camera at the side of the road and let's not any longer have use for any witnesses coming to court to prove the offence against the accused person. Let's just take a picture. We don't need to establish the scene. We don't need to

establish that the picture is a reasonable likelihood. All we have to do is show up and file a certificate. We don't need human beings to come and give evidence any more. All we have to do is take a picture and file a certificate and then everything kicks in and we don't need human beings to prove these offences any more." People are going to be guilty without all of the provisions and all of the safety outlets that they should have to protect them. That's the danger with this piece of legislation.

1640

**Mr Gilles Bisson (Cochrane South):** I'd like to comment briefly on a couple of the points that were raised in this debate. The member for Chatham-Kent and the member for Durham tried to bring this back to what it is. There are really a couple of issues here that we have to deal with.

The first one obviously is speed and highway safety. I think the members took the political road rather than talking about the actual problems we have on some of our highways in terms of speed. We know that speed kills. One of the things we need to do is find a way to enhance highway safety along the highways in the province, especially along highways like Highway 400, Highway 401 and others; it's really the big problem.

I speak from a bit of a different perspective. I come from northern Ontario where we don't have highways like Highway 400, and I'll tell you, for a lot of people who travel into a city like Toronto or Hamilton and other places and see those highways, they're pretty intimidating because people do not follow the speed limit. If the speed limit is posted at 100, the average could be as much as 120 or 130. If you're not too used to going on to a road like that, coming in from outside, it can be a pretty intimidating thing and could be very dangerous.

Another thing on this is that we have to take a look at it from a health care perspective as well. Health care is something that costs us dollars; health care is something we pay for as citizens of the province through our tax dollars. One of the things we have to look at is not only pumping in money to make people better once they become injured but actually trying to prevent injuries. One of the things this bill will do is that highway accidents will go down. We know, from experience in other jurisdictions where photo-radar has been initiated, that it has saved people's lives. If this legislation saves the life of one Ontarian, I think we in this assembly can stand proud today and say this is legislation that goes a long way to addressing those questions.

Another thing is the question of police officers. In talking to police officers up in Matheson, Iroquois Falls and Timmins, they sometimes come to this debate a little worried, but once they understand it they say, "Yes, this will allow us to do our job better and focus on things other than giving people speeding tickets, to



work on issues that have to do with our communities.”

**The Acting Speaker:** The member's time has expired. We now have two minutes for the member for St George-St David to respond. The member for Nepean would like to take that opportunity.

**Mr Daigeler:** I guess we could split the two minutes, but I will take the two minutes.

What this boils down to, I think, is that we're all interested in safer roads; we don't want to make an argument about that. But we're saying that putting more police on the road, putting more enforcement and so on, is not the solution to the problem, especially if it's a very thinly disguised revenue grab.

The member for Cochrane South said himself just a few minutes ago that most people don't drive 100 kilometres. The member for Chatham-Kent said the speed limit is 100. Of course it is, but 85% of people don't follow that rule. What does that say to us? Most people don't drive 140; most people don't drive 150. They do drive around 115, 120, where the speed limit used to be, so perhaps we should take a look at whether it is something we ought to get back to.

The member for Durham East made a good argument, and I'm prepared to listen to his reasoning and be converted, as he mentioned the figures from the States, if in fact the reduction in fatalities was directly related to the reduction in speed.

But there's also the improvement to the technology of our cars and the way we have improved the safety construction of our cars, and I think that may have had an impact on the fatalities as well. But I'm prepared to look at that and see what the correlation is between what happened in the States, and in Canada as well, when we reduced the speed limit and the fatalities on the road.

**The Acting Speaker:** Thank you to the member for his participation. Are there any other members who wish to participate in the debate?

**Mr Turnbull:** I would indicate that we will go along with the government's suggestion that a 90-minute opener will be split between myself and my colleague the member for Willowdale.

I'll start off by saying that any method by which we can cut down the carnage on our roads, quite clearly we must seriously look at. During my remarks, I will try to present some of the positive and negative aspects of this bill and some of the concerns that have been expressed to me by various people.

I am somewhat disappointed, given the fact that I have asked questions in this House on several occasions. Recently I asked the Solicitor General for some comments on this bill and he said that most properly should be addressed to the Minister of Transportation. The Minister of Transportation consistently gives us answers which really aren't answers. We find we get a great

barrage of verbiage, but we don't get any intelligent answer to our questions.

**Mr Harnick:** On a point of order, Madam Speaker: We don't appear to have a quorum.

**The Acting Speaker:** I will ask the clerk to determine if a quorum is present.

**Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Senior Clerk Assistant and Clerk of Journals:** A quorum is now present.

**The Acting Speaker:** Pursuant to standing order 34(a), the member for S-D-G & East Grenville has given notice of his dissatisfaction with the answer to his question given by the Minister of Environment and Energy concerning tire recycling. This matter will be debated today at 6 pm.

The member for York Mills has the floor.

1650

**Mr Turnbull:** The point I was just about to make was that the Minister of Transportation is awfully good at going out and giving the good-news announcements in press conferences outside of this assembly but is consistent in not answering questions respecting very important aspects of safety and also doesn't show up at committee meetings which are handling legislation of which he as minister has passage.

I would not want for one minute to take anything away from my colleague Mr Dadamo, who most ably represented the Ministry of Transportation in the graduated licences hearing, but the minister never showed up at all in those hearings, and once again we find that the government is bringing forward legislation while the minister isn't even in the country. Yet his colleague the Solicitor General has indicated in the past that he feels questions are more appropriately put to the minister. I just want to put that on the record.

As I've said, I will be speaking along the lines that I will point out some of the concerns that we have for this bill, but I think there are some meritorious points to it and I will also discuss those.

The main concern that has been expressed by the speakers already and by many of the people who have come to me as our Transportation critic is that they feel that this is another revenue grab by this government. Some of the changes to the court administration which are being carried through this bill may have some merit. They will be discussed in more detail by my colleague Mr Harnick, but there are quite a few aspects of those changes which we do have some concerns about and feel that they should be more appropriately brought in a separate bill.

The government has demonstrated habitually that it has a penchant for bringing forward bills with names

that, quite frankly, a saint couldn't object to the bill when you read the title of the bill. Yet when you delve into the guts of the bill, you find there's embedded in the bill some very obnoxious and often totally unrelated aspects to legislation which have no relationship to the subject bill.

I will give you a perfect example of that. When the government brought forward Bill 29, an act to remove the commercial concentration tax, which the Conservative Party had all along urged the government to do—this was a tax that was brought in by the previous Liberal government, and of course the NDP in opposition had said they would remove it but it took them some two and a half years to do this.

But, lo and behold, once we got that bill, with this very innocuous sounding name—I mean, nobody could object to it—we found that there were some very negative impacts in the bill for pharmacists. What did pharmacists have to do with the bill to remove the commercial concentration tax? Under massive assault from our party and from outside interests, the government finally agreed to split the bill.

My point in raising this is that probably there are aspects in this bill which should more appropriately be handled in a separate bill.

There is another example that I will cite, and that is Bill 17, which is currently before the House. The expressed purpose by the government is that it should be for job creation and infrastructure renewal, yet indeed we are seeing more and more that this is a bill which is going to hide debt and it's going to hide civil servants so the government can claim that it has been more fiscally responsible. By highlighting this issue, I think we have identified that the government won't be able to get away with it. Certainly the bond-rating agencies have indicated that they are not fooled by this trick. Neither is the Provincial Auditor.

For example, in Bill 17 there are some aspects which relate to this bill, and I will point to the Ontario Transportation Capital Corp. Clause 47(3)(d) provides for regulations "respecting photographic and electronic evidence in respect of non-payment of tolls." I would suspect that probably should be more appropriately handled in this bill.

Subsection 47(4) provides that such regulations "may provide that photographic or electronic evidence of non-payment of a toll is proof in the absence of evidence to the contrary of the non-payment of the toll." Let's not forget that if it hadn't been for the efforts of the Better Roads Coalition of Ontario, Bill 17 as originally envisaged would have allowed for tolls on any road the government designated in this province. We have finally got the government to put a clause in this bill to guarantee that it will only be on new roads. Certainly these announcements are in stark contrast to the intentions which were announced by the Premier.

The government says that the motivation for Bill 47 is enhanced safety. That is the rationale the government is giving out. There are an awful lot of critics who are suggesting that this is a tax grab.

The PC Party has certainly been very active in supporting initiatives which enhance safety, and in this respect my personal commitment has been well demonstrated. The members of the House will know that, more than anybody else in this chamber in any party, I have been the one who for the last two years has been moving to get the government to act on legislation to allow for graduated licences.

Over two years ago I asked for that; we've just had some committee hearings. I asked over a year ago for a standing order 125 consideration in the name of the PCs to examine graduated licences. I was constantly blocked by the government, where it kept on saying: "Don't worry. We'll have that in a couple of weeks." I was put off consistently, and I will swear to this on a stack of bibles; I was always blocked in this way. But we didn't get it. We finally got it through committee this summer, and yet we don't have the legislation.

I suspect that's because graduated licences are truly just a safety bill, there's no revenue generation potential in it, whereas we see that in this bill, photo-radar, there is a massive amount of revenue generation. In fact this was introduced to the House only a few months ago, and already we're seeing second reading of the bill. I believe the government is going to push this very hard. The revenue generation from this is quite significant.

But let's talk about other safety initiatives that we have supported. You will recall that my colleague Dianne Cunningham brought forward a private member's bill, which I'm delighted to say has been passed, allowing for safety helmets for bike riders. I think this is something which will indeed pan out over the years to have been a bold initiative.

It's something that not everybody agreed with. There were some suggestions that perhaps there was an infringement on people's civil rights, and there was a lot of unhappiness. Fortunately, we got the government to go along with this, and we now have a bicycle helmet law which will come into force some time next year and which I believe will save lives, particularly of children; indeed, not just save lives but reduce the cost to the government of head injuries, which is a very serious cost to the government each year.

1700

As responsible opposition members, we do believe we must submit concerns to scrutiny, and that is why I will be pushing very hard to ensure that this bill is referred to a standing committee for complete scrutiny by the public and where we will receive submissions as to the legality and the enforceability of this type of evidence and the reliability of the equipment.

The suspicion that this is a revenue grab has been



fuelled by the fact that in the legislation we see that there's going to be a safety strip on a new driver's licence and this is going to allow instant payment of fines, by the transgressors on the roadside, to police officers. This very definitely indicates that the government is very eager to get the money as quickly as possible.

I want to point out that in June 1992, by a vote of 74 to 1, the New Jersey assembly voted to ban the use of photo-radar. The concern that was brought forward was the old story of Big Brother, that the police know your movements and the police know where you've travelled. That was of concern to the legislators in the New Jersey assembly.

The New Jersey scheme was virtually identical to ours in that a photograph of the driver and the licence number would be issued by mail with a summons to the registered owner of the vehicle. We're seeing very much a depersonalization of the law. It may curb some speeding, but the result of this is going to be that we're not going to have that one-on-one contact with a police officer where a police officer may detect that somebody is drunk or under the influence of drugs, and that has very serious implications for the safety of this province.

We don't have any real information at this moment as to what equipment the government is going to go forward with. We know that the RCMP has tested the Multanova, Gastometer, PR100 and the Traffipax systems, and they do not meet RCMP standards. So I think we have to call into question what the government is doing when tests by the RCMP have been a failure.

There is also the concern of the lack of deterrent effect that we experience where a photograph is taken of the person and the summons arrives three or four or five weeks later. It's very difficult for the person to relate to where they were at that time and there isn't the impact of a police officer stopping the driver and saying, "You are driving at the speed which is beyond the speed limit; this is dangerous," and then relating it to their state of mind and their activities at that time, be it that they're running late for an appointment or whatever it is, because there is an impact of teaching when an officer pulls somebody over in that way.

There is very much the concern that has been expressed by rental car agencies, and the national motorists' association, the Ontario chapter, are opposed to photo-radar as nothing more than a revenue-generating scheme. They believe there are potential charter challenges and they believe that there are some mistakes being made by the government in introducing this type of technology rather than trying to have police contact with the citizens immediately so that we can have the deterrent effect.

There have been some legal questions which have been addressed in the legislation where the Ontario government has tried to draft the legislation based on

the experience of British Columbia and Alberta, and that is certainly a step in the right direction.

I would like to quote Peter Rothe, who is a leading traffic safety academic. He views electronic surveillance as "scary," with implications that go far beyond the basic issue of whether it reduces crashes. "Because you're guilty until you're proven innocent, electronic surveillance takes no account of the circumstances, and it could be the first step towards privatization of policing."

In California and Arizona, photo-radar is in fact being provided to private operators who receive a percentage of the take to monitor and send out these summonses, and while I'm a great fan of privatization of a lot of things, I think we're going in the wrong direction if we end up privatizing the police forces, because I think it will become purely a commercial endeavour, and in the end justice will not be well served, and I don't think that will help safety. That must be the overriding concern.

The present machines are being staffed by an officer who attends the photo-radar, but they can be unattended. If they're unattended, where do we have the deterrent value? The deterrent value, as I've spoken about before, comes when a policeman stops you and you can relate the actions you've just been involved in to the stop by the police officer.

Often, I believe, we will receive summonses weeks later. Of great concern is the fact that the owner is liable. There are some administrations in the US which allow for an affidavit to be filed by the owner of a vehicle which will allow them to make an affidavit as to who was driving the vehicle at that time. In those circumstances, that individual can be charged. I think that would be a step in the right direction.

The deterrent effect that we have, to a great extent, apart from the police officer stopping us, is the loss of points. There's no loss of points associated with getting a ticket through photo-radar. So the experience in BC is that the renters of BMWs and Mercedes virtually never pay the ticket—they just flout it—whereas very much the law-abiding citizens who own their own cars tend to pay the ticket.

The concern of the rental companies or automobile agencies is the fact that they are actually earning today revenues which are probably significantly less than they were earning five years ago. But let us say it's the same amount of revenue. Costs have gone up in that time. Rental agencies are being squeezed. At the present moment, if somebody has rented a car and a parking ticket is sent to the owner of that vehicle, the car rental agencies end up having to pay that ticket, because usually the person is outside of the country or they've gone and they refuse to accept the ticket.

The credit card companies, to a great extent, refuse to accept a charge at a later date against the renter of the

car for a subsequent ticket which was a result of parking on a day that it was rented. So we have the same concern here, that the car rental agencies will not be able to retrieve that money from the perpetrator of speeding, and therefore it will either further diminish their bottom line to the extent that we may have bankruptcies—because, remember, these people are earning in the best case the same amount as they were earning five years ago—or they will pass it on to the consumer by way of broader costs right across the board.

The implications for that are quite serious for tourism, because already Canada, and in particular Ontario, are very high-cost places to take a vacation. Certainly, the cost of automobile rental in Ontario and in Canada generally is significantly higher than in the US. Anybody who has gone to the US will know that to be a fact. So that is a concern.

There are solutions to this, which I would offer to the government. If the government were to amend this legislation, which I hope it does in committee, to allow that a form be filled out on behalf of the government, supervised by the car rental agency, which would authorize the renter of the car on a given day to accept responsibility for parking tickets and for speeding tickets, this would ease the burden on our car rental agencies and, I have to tell you, you would get your legislation through somewhat easier. At the same time, it would benefit tourism, because the people who don't speed would not be paying the cost averaged across all the vehicles. There's a real concern and a practical way in which you can address this problem.

1710

The question of owner liability is also of course extended to owners of fleet vehicles and delivery trucks. I don't think it's as difficult for the owner of those vehicles to be able to identify who the perpetrator of speeding is. But the concern is that the owner of a vehicle is unnecessarily going to be taxed. You don't harm a very affluent person. You will do harm—

**Mr Chris Stockwell (Etobicoke West):** On a point of order, Madam Speaker: I would like to ask you if you could see whether there's a quorum.

**The Acting Speaker:** Please determine if there is a quorum present.

**Clerk Assistant and Clerk of Committees:** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Acting Speaker:** The member for York Mills may resume his debate.

**Mr Turnbull:** Turning to the experience of BC, I'd like to quote a few aspects seen through the eyes of an RCMP officer who was directly involved with their test program.

They were using the Multanova equipment, which is Swiss-made, and the force found that it didn't meet its criteria for radar cameras and was frequently in need of costly repairs.

They had mixed feelings about the project but supported the safety aspect. However, they regretted the loss of one-on-one contact with drivers.

The deterrent effect was witnessed to some extent, perhaps because of the existence of signs, and they believed that the signs caused people to slow down in areas where the machines weren't placed, particularly useful on notorious roads.

But as I mentioned before, the enforcement was a problem. Leased BMWs and Mercedes—remember, this is the RCMP saying this—never paid tickets. Only rule-respecting, law-abiding citizens won't dispute tickets and will pay.

Let's talk about some of the things the proponents of photo-radar are saying, because I want this to be a fair discourse on the situation.

There's a great feeling that anything to reduce speed will enhance road safety. Photo-radar has been used for many, many years in Europe, over 30 years, and in the US for many years. I will tell you just an amusing story on the question of photo-radar in Europe.

In Switzerland for many years they have had strobe lights. They hide the units in the hedgerows and the strobe light goes off at night as you drive by. People in rural areas where these have been placed, less law-abiding people, have taken to having a sledgehammer with them in their trunk. When they see a flash going off in the middle of the night as they're driving down the road, they are wont to back up and smash the equipment in the hope that their record of speeding will actually be expunged. I certainly hope that doesn't happen here.

Some studies have demonstrated that the system does reduce speed, and I've alluded to the fact that signs are rather an important aspect of this.

The coroner's jury in Caledon recently endorsed the photo-radar as a concept for Ontario. This system has been used in Calgary and Edmonton, and following an assessment project in BC in March 1990-91, the police are looking for ways to implement the system on a full-time basis in BC.

It will perhaps bring relief to the police, and certainly the police do need some relief. The concern is that the revenues that are being generated from this—and I will return to this point on several occasions. If you are going to do this, you should dedicate the revenues to road safety through the police department so that we have more road patrols, because we have a terrible situation with policing in rural Ontario where there simply are not enough police. There are areas of the province, Madam Speaker, as you've heard in many



questions in this House, where in fact for several hours per night there are no police available for many, many miles around. It may be the next jurisdiction over that will provide the police, if they eventually get there, because they're so understaffed.

**The Acting Speaker:** Order. There are quite a few conversations going on. I would like to be able to hear the member who has the floor.

**Mr Turnbull:** Thank you, Madam Speaker. If you used the revenue that was generated and said, "We're going to give it to the police forces," not instead of the money you're giving them now but in addition to the money you're giving them now, I think we could solve some of the very serious policing problems in this province.

It can't be used as a replacement for conventional policing. There are lots of studies in the US and Europe and, in Canada, in Alberta that conclude that photo-radar has merits. It positively identifies speeding vehicles. There can be no doubt about it. You cannot get the wrong vehicle, because you have a licence plate and you know that car did it. The concern is that we address it to the actual person who sped and as a result of that have demerit points assessed against the driver, because there is the real deterrent: No matter how affluent the person is, he or she is hurt by demerit points, but you only hurt the less well-heeled with a fine.

What I'm saying is that we must find a way of getting to the driver of the vehicle, not the owner. I've offered a concrete solution on how you can do it: If I remember correctly, it's in Pasadena where they allow, at court, an affidavit to be filed about who the driver was on a particular day.

We're saying that those funds you generate should be dedicated to the police, and as well as that, you should have points assessed against the driver. If the driver cannot remember or does not care to file an affidavit about who was driving, then he or she will bear the responsibility. I think these would make the legislation more palatable, and certainly it would take the sting out of any argument that this is another revenue grab by the government if those funds were dedicated to the police as additional revenue.

Another positive effect of this particular system is that it is a low-powered microwave signal and the effect is that it cannot be detected by radar detectors; as a matter of fact, radar detectors are detecting it at the same second that the radar is locking into them. That is a very positive step.

It eliminates in some cases hazardous exposure to high-speed chases, which can ensue from the present system of roadside surveillance where the police cruiser takes off after them. I think we have to consider that in the sense that we should be eliminating a lot of the high-speed chases that occur now. Most of them don't

occur because of speeding; most of them occur for other reasons, but that isn't to say that they are not sometimes initiated because of speeding. But do we want to eliminate all high-speed chases? There may be circumstances where we need to be able to get people.

1720

The deterrent effect mainly kicks in where we are very, very clear and bold about advertising that photo-radar is in effect. I suspect the actions of the Ministry of Transportation down in eastern Ontario, where it has posted large signs with, if you wish, a menu of speeds over the allowable limit and the fine, have had some effect. Unfortunately, I would suggest that it hasn't all been positive, because now drivers are tending to select the price on the menu that they can afford to speed at. I'm not sure that was particularly the desired effect.

**The Acting Speaker:** There are quite a few conversations going on. The member does have the floor and we would like to hear.

**Mr Turnbull:** Thank you, Madam Speaker. Let's just talk for a moment about the experience of Calgary officers in using these cameras. They've said that it can generate between 85 and 100 summonses a day, as compared with 50 with the old version of a police officer stopping the people. It leads us to believe that this is a significant revenue grab.

I've already spoken about the concerns for car leasing companies. During a question in the House to the Solicitor General on the implications of photo-radar and rental agencies, Mr Christopherson said:

"This question would more rightfully belong to the Minister of Transportation, but he's not in the House, so I'll attempt to deal with it in the same fashion that one now deals with parking tickets, wherein people who own the cars are responsible for those tickets, not the people who are driving them."

I've already spoken about the very negative implications for tourism. We cannot take that risk, that we lose any more tourism. We need the money here in Ontario. The only thing that has kept Ontario going in the last couple of years has been our exports, because our exports have been doing reasonably well. Consumer confidence isn't here, and unfortunately not only is consumer confidence not here but we have erected a lot of barriers to tourism, financial barriers: barriers that, if we were to take them down, I believe the net effect would be that Ontario would be wealthier, because we've got to welcome tourists.

It is one of the major industries of the world and it's an industry where Ontario doesn't need to take any back seat because we have such magnificent scenery and wonderful facilities. But we are quite simply pricing ourselves out of the market.

There is the administrative burden that we've talked about for car rental agencies, but I suspect they would

willingly take on a greater administrative burden if indeed they didn't have to bear the cost of those fines, and not only the fines, as I said, for speeding but also the fines for parking. I've offered a practical solution as to how that could be done.

Brian Eddy, a lawyer representing six car rental companies that have been stung by owner liability, notes that police don't go after drivers; they're just concerned about money.

We've spoken quite a bit about the fact that we believe this is just another tax grab. There's been an incredibly long list of tax grabs against Ontario motorists. We know that car insurance premiums have gone up as a result of new retail sales taxes that have been levied for the first time on them. We know that provincial fee increases have put the cost of driving up quite significantly and in many cases beyond the reach of some Ontario households. The NDP's new 5% retail sales tax on automobile insurance has increased the average driver's premium by 17%. According to the Insurance Bureau of Canada, that equates to between \$150 and \$200 a year.

*Interjection.*

**Mr Turnbull:** My friends across the floor, that is a serious assault against the citizens of Ontario, and once again, invariably, it is the poorest people in society who bear the burden unfairly.

Effective on July 1, 1993, drivers had an 8% sales tax applied to warranty work on parts and labour, and also we've had a tax on parking at commercial and municipal garages. You remember we mentioned about taking away the commercial concentration tax, that tax where somehow the NDP had mysteriously put in something which was going to negatively affect pharmacists, had nothing to do with commercial concentration tax, but at the same time, what they did was they put a tax on to parking lots, once again an assault on the viability of our downtown cores and on tourism.

The effects are everywhere. We have seen in the newspapers within the last couple of days that as a result of the NDP's actions in the last three years, the average Ontario family is paying some \$650 more per year in taxes and fees, not a very good state of affairs when you consider that we were already quite heavily taxed by the Liberals.

I don't absolve my own party from any fault. Successively, government after government has levied more and more taxes on people, and the result is we are now one of the highest-taxed places in Canada. In some areas, we are the most heavily-taxed administration in the whole of North America, and that is a very sobering thought.

We know that the switch to five-year licence fees was to grab cash up front instead of a two-year licence fee. That's pretty unfair to a senior who anticipates they're only going to be driving for another two or three years,

but they're grabbing that money now.

Of course we also find that the licence-issuing officers who are going to sell those licences are going to be stuck with a period of approximately two years where the switchover occurs where there will be virtually no revenue coming in to those licence-issuing officers because we've already gone to a five-year licence fee, and guess what? By some strange coincidence, that window when we won't be getting any more licence fees is when the next government takes over. Don't you find that just passing strange?

**Hon Mr Charlton:** I thought it was brilliant.

**Mr Turnbull:** I notice that the government House leader says he thinks it's brilliant. I guess you would if you are of the ilk that you feel that grabbing more and more revenue and bleeding future governments is smart. If you think that is what a government should be doing, then I guess this was brilliant. You're quite right. But there are very serious implications for the taxpayers because future governments won't have that revenue stream which would normally be anticipated.

We know there has been assaults on the taxpayer in every area. The list is getting as long as my arm of the ways in which this government has found to get revenue in not necessarily tax revenue ways, but fees and increases and jiggering the books. We are fed up with it.

I've spoken in positive terms about what graduated licences can do and about some of the aspects of photo-radar, and I have offered, I believe, very concrete suggestions as to how you can improve this bill, but on the revenue generation side, which we believe in our party is the primary motivation for this bill, there can be no excuse. You are taking money that you shouldn't be taking. The problem is not revenue in this province; the problem is expenditures, and the expenditures have gone up exponentially since you have taken power.

1730

I want to touch briefly on some litigation that occurred in Alberta in 1991, *Regina v Chow*, an Alberta case at trial on a charge of speeding. The judge refused to admit into evidence a photograph generated by Multanova radar camera and dismissed the charge. The crown's appeal was, however, allowed on the grounds that the disputed evidence was not the photograph itself but the mechanical recording on the photograph of the vehicle's speed as measured by the radar device, and it was found that that would be receivable if the surrounding circumstances indicated that it is accurate and trustworthy.

In another case, also in Alberta, *Regina v Hedayat* in 1991, it was held that the accused owner of the vehicle, the driver of which was speeding, who received a notice 25 days after the alleged offence and was unable to recall or reconstruct facts surrounding the alleged offence because of the lapse of time and was concerned



about the reliability of the Multanova device, successfully argued that the circumstances amounted to an abuse of process and proceedings were stayed. So there are some very serious legal concerns about this equipment.

I want to return very quickly just to emphasize the Pasadena experience, because I think it is something that the government can learn from. At trial, if the driver is not the owner, the owner is requested to identify the driver under oath, a citation is then issued to the driver within 30 days and the authorities suspend the vehicle owner's licence indefinitely if the summons is ignored.

In this way you would be able to actually attach demerit points to the system and, in so doing, you would bring back that which is lacking in this legislation, and that is a disincentive to speed.

The public outcry in Peroria, Arizona, led to the voters passing a referendum that forced the Phoenix suburb to stop using photo-radar.

I would like to mention once again the national motorists' association in the US and Canada, the Ontario chapter. They have stated that photo-radar is repugnant and has three significant flaws: Drunks or impaired drivers remain on the road because the police are not stopping the drivers of speeding vehicles; vehicle owners are presumed guilty and must prove their innocence; and technical errors may not be challenged since the driver will not be able to recall the circumstances later.

I think those are some pretty serious reasons for us to at least think very hard as to whether we're doing the right thing.

The Attorney General's statement that minor motor vehicle offences are diverting court and police resources is indeed correct. I think we should seriously find ways in which to help the police so that those resources are handled in the best way, but it should not be at the expense of the presumption of innocence.

As the system exists, if the police officer involved fails to appear, the charge will be withdrawn and this leads to people requesting trials in the full knowledge that they're not going to go, but just in the hope that the police will not show up so that they might be able to get off.

Just think about that: the fact that there are sufficient people around the province who know the system well enough that they say, "Ah, the policeman's probably not going to show up at the trial, so I will apply for a hearing," thus blocking up the court system, "and I will take the risk that the policeman won't show up and thus I will get off." That's not addressing the questions of speeding that we should be addressing.

The changes that are being suggested will have some positive results, but if you ask for a hearing under this

proposed legislation, you will have to attend a pre-hearing. Let us say I was travelling from here to North Bay and I, for some reason, attracted a ticket in Parry Sound. That would mean I would have to travel up to Parry Sound in order to attend the pre-hearing. That adds an extra amount of aggravation to people's lives. I suspect the reason for that is because they're hoping that people will elect not to go that route. That could have some serious implications for the passage of justice.

The backlog in courts is certainly a serious question but I don't think that we're addressing it in a reasonable way. Another concern that I have is the fact that, at that pre-trial hearing that I referred to, a police officer will attend and virtually acts as duty counsel. It's clearly in the best interests of the police officer to get a conviction; I don't think that they can act as a neutral party. So I think that we should bear that in mind.

Bill 47 changes the pre-trial screening process, as I've explained, with this first court appearance. The defendants must file notice of intention to appear at the court and ex parte trials will be eliminated because defendants who fail to appear will be convicted without a hearing with the option to reopen—a default conviction can actually be challenged if you can demonstrate a good reason why you could not appear.

The police officer will be no longer required to appear at trials for motor vehicle offences since an officer's certificate of offence or certificate of parking infraction will be admissible as evidence at trial, except where the defendant has indicated his intention to challenge the officer's evidence. In that case the officer must appear. I think on the face of this, this seems reasonable, other than the concern about the preliminary hearing.

Court officials will be able to direct the Ministry of Transportation to suspend drivers' licences for default fines rather than requiring a formal order from the justice of the peace. I would suspect that my colleague will be commenting on that in some detail.

I support any attempts to increase the safety in this province, but I'm most concerned about this bill because I do believe that it is primarily a revenue generator and there is nothing that the government has done so far to indicate that I'm wrong. If I'm wrong, they can easily demonstrate that by saying, "Okay, we're going to dedicate all of that revenue as additional funds to the police." They can eliminate such things as this pre-trial screening process, which is certainly worrisome when you consider that the police officer will attend virtually as duty counsel. We must have complete scrutiny of this bill in the committee and we must look at ways of ensuring that the driver of the vehicle not only is the one who is found guilty as opposed to the owner of the vehicle, and I've explained how that can be done, but actually receives demerit points so that there is truly a

deterrent effect for all drivers, not just those people who are basically law-abiding citizens or those people who are somewhat impoverished.

1740

**The Acting Speaker:** Before I call on further speakers, I wish to inform the House that the late show will not be proceeding today.

**Mr Robert V. Callahan (Brampton South):** On a point of order, Madam Speaker: If you look at the rules, I think a late show cannot be eliminated without unanimous consent. The rules provide that it go on as long as a member provides the table officers with the proper information and so on.

**The Acting Speaker:** To answer the member, the member who had requested the late show has now declined that, and things are proceeding in order.

Further speakers?

**Mr Harnick:** My understanding is that we are splitting the time, so I believe I have some 38 minutes left, not the two minutes that are showing on the clock.

**Mr Callahan:** On a point of order, Madam Speaker: I don't wish to interfere with the time of the member for Willowdale, but it had been agreed that there would be questions and comments. You did not ask for questions and comments.

**Mr Harnick:** At the end of the 90 minutes.

**Mr Callahan:** Is that right? Oh, all right; fair enough.

**The Acting Speaker:** The member for Willowdale is in order. Please proceed.

**Mr Harnick:** This is a very interesting bill, and it's not quite the benign bill that my friends on the government side make it out to be. It's a very important bill and it contains many, many changes to some very important statutes that are used every day by the people in Ontario: the Provincial Offences Act, for one; the Highway Traffic Act for another.

I'm going to start by discussing the issue of photo-radar, because that's primarily the interest that people have in this bill. There is no question that the Attorney General stood in her place today and indicated that the purpose for this aspect of the bill is to make our roads safer. The real issue we have to deal with is whether photo-radar in fact makes our roads safer. I think it may do that to a very small degree, but there are ways that this piece of legislation can be made much better if road safety is the real purpose of the bill.

There's just no question that when we get involved in any issues dealing with speed and speed limit enforcement on our highways, the one constant feature in speed enforcement is that wherever you're going to give out tickets because people are going in excess of the speed limit, you're going to have people who will challenge those allegations. If they give out tickets, there are people who are going to challenge that summons.

**Mr Hope:** I'd sooner pay the 160 bucks than—

**Mr Harnick:** I know the member across the way, if he gets a ticket, would just go and pay it whether he's guilty or not. In this province, if someone is charged with an offence—

*Interjections.*

**The Acting Speaker:** Order. There are too many conversations going on at this time. We do need to be able to hear the member who has the floor.

**Mr Harnick:** If people are charged with an offence in this province, whether the members on the other side like it or not, we do have civil rights: We do have the right to plead not guilty; we do have the right to go to court and we do have the right to challenge the prosecution to prove beyond a reasonable doubt that we have committed the offence. Some people on the other side may believe that; most probably don't.

Nevertheless, the very essence of charging people by taking a photograph of their licence plate and determining that they're going too fast will provoke people to plead not guilty and challenge those allegations. As a result of that, certain things are going to happen. There are going to be certain arguments that people are going to make about photo-radar.

They're going to say, "Photo-radar is an invasion of my privacy." I don't think that allegation will be sustainable, quite simply because highways are public places; the use of an automobile is not specifically a private right. I don't personally think that's going to be a sustainable argument.

But there are other arguments. For instance, what about the idea of two cars travelling down a highway beside one another, or one car slightly behind the other, and the photograph is taken of the licence plate. There's approximately a one- or two-second delay in the mechanism that permits the photograph of the next vehicle to be taken. In other words, what happens is that some people will be photographed and some people will not be photographed. Is it fair that two people who might be speeding at the same time and in the same place will not be treated in the same manner? That's a very interesting argument. I don't know what the answer is.

Another thing we talk about is the very idea of being charged with an offence—and it may well be that the Minister of Transportation will implement this system—without the necessity of an officer being present while the equipment is taking the photograph. One of the things that someone is entitled to do, if they wish to challenge the fact that they've been charged, is to hope that the prosecution will come and put in a case that is going to tell the court what the true depiction of the scene is. If we can just do this by filing a photograph, an accused person has lost the right to challenge the veracity of the scene, and that bothers me. It bothers me because what we are essentially doing is automating the way evidence is given in a courtroom.



Everything will be done by photograph and the photograph will be deemed to speak for itself. Everything will be done by certificate. If a certificate exists, if a certificate is filed, the certificate will be deemed to be evidence, and one who wishes to go to court because they honestly believe they have not committed an offence will have to be able to understand this complicated piece of legislation and will have to be able to understand how to force the level of proof to be beyond that of what a certificate says.

You can't cross-examine a certificate, but are people going to realize that they have to challenge the certificate before they can really effectively challenge the evidence that will be levelled against them in a court? I don't think they will know to do that.

Nevertheless, there are ways this particular piece of legislation can be improved. I've done some research and I've looked at a model statute that deals with this, but just before I get into that, let me tell you one of the really nasty aspects about this piece of legislation. One of the really nasty aspects is that if I lend my car to someone and that person, while driving my car, has my licence plate photographed, I become responsible for paying the fine. Granted, I can't go to jail as the owner, I can't be suspended as the owner and I don't lose any points as the owner, but I become responsible for paying what could be a significant fine. That particular aspect is something that very much concerns me.

**Mr David Winninger (London South):** You'd also be liable in the event of an accident.

**Mr Harnick:** My friend says I would be liable in the event that there's an accident, and he's quite right, but number one, I have insurance to protect me against that if I lend my car because insurance is mandatory in the province of Ontario. My friend the member for London South knows that and he knows that when he shouts things like that across the floor he's misleading.  
**1750**

The other thing that my friend from London South knows full well is that in a car accident situation, we are talking about a civil action, and the Highway Traffic Act makes an owner liable in civil court. What we are talking about when we deal with photo-radar is a quasi-criminal offence, an offence contrary to the Highway Traffic Act, an offence against the crown, so that my friend knows quite well when he shouts out things like that, he's doing it to mislead his colleagues, and I tell you, his colleagues are very easy to mislead.

**Mr Winninger:** On a point of privilege, Madam Speaker: I believe that the member for Willowdale used the word "misleading." I would suggest he withdraw that remark.

**The Acting Speaker:** I would ask the member—

**Mr Harnick:** I will withdraw that. In fact, I will replace that word with "confuse." My friend is trying to

confuse his own colleagues on his side of the House, and he knows how easy it is to do that.

Nevertheless, getting back to this, the part of the bill that I find so nasty is the idea that the owner becomes responsible for the driver. I tell you that when the owner is sitting at home and someone else is speeding in his car, the moment that they're speeding, a photograph is taken. But that individual who is driving the car does not know that there is speed enforcement out there asking him or telling him or warning him to slow down. So what does he do? He continues to speed. He continues to speed, and nothing has deterred him at the moment that he's committing the offence.

It's not like seeing a police car at the side of the road. You see the police car and you slow down. But that's not what happens here. That person continues to break the law and that person continues to make our roads unsafe. The purpose of this legislation is to make our roads safer.

There is more that we can do with this piece of legislation to accomplish that. Let me tell you what that is. The research that I have done looking at various jurisdictions, including Alberta, British Columbia, Maryland and New Jersey, indicates that the technology exists to permit photo-radar to take a photograph not just of the front or the rear licence plate of the vehicle, but also of the driver. If we are able to take a photograph of the driver, then we have a fighting chance to deter the driver, because the driver will know that he will be responsible for paying the fine.

The next question is, how do you do that? How do you do that? How do you expand the scope of this piece of legislation to make it so that the driver, the person who is committing the crime and making the roads unsafe—how do you get to the driver? Well, it's very, very simple. It's very simple.

**Mr Hope:** There you go. You ask your buddy to pay a hundred bucks.

**The Acting Speaker:** Order. The members will have a chance to respond.

**Mr Harnick:** Mr Hope, who is shouting at me—if you would listen to me, you would understand. The idea is not simply to convict the owner. The idea is to deter the driver, the very person who is committing the offence. I know there are people in this Legislature who say: "Well, don't do that because that might be difficult. It might be difficult to convict the person who really commits the offence. The easy way is, let's lump it all on the driver." Well, you don't have to do that.

What we can do with this piece of legislation is, yes, we can charge the driver. But what we can do is, through the driver, we can identify the operator of the vehicle, so that the driver's defence will be to identify the operator of the vehicle in the photograph and to provide the police with the name and the address and the telephone number of that identified driver. If we

were able to do this, we would have a bill that I would say is fair.

**Mr Hope:** These lawyers—

**Mr Harnick:** Mr Hope keeps shouting across the floor about lawyers. I don't know what this has to do with lawyers. What it has to do with—

**The Acting Speaker:** Members will have an opportunity to respond to the speaker. Will you go ahead, the member for Willowdale.

**Mr Harnick:** One of the problems with a piece of legislation like this is that car rental companies are constantly renting cars to individuals who are charged with certain violations, parking offences, and then the rental operator ends up having to pay those fines.

If the rental operator is hung out to dry on the basis of the way this piece of legislation looks, when he rents a car to somebody and when that individual speeds—because there are no deterrents against that individual speeding—the rental operator, as owner of the car, becomes liable to pay the fine. The renter isn't deterred. He speeds, and there is nothing to deter him, nothing to make him go slower. Accordingly, the rental operator ends up paying the fine.

But if this law was to be changed—and the technology exists, because it's happening in other jurisdictions—and if it was to state that a photograph of the driver be taken, if the owner of the vehicle is a rental company, the owner of the vehicle can then identify the driver. The owner of the vehicle, being the rental company, can go ahead and say, "The driver is Mr So-and-so or Mrs So-and-so. The driver lives at such-and-such a place. The driver's licence number is such-and-such," and they can then identify the actual person who commits the crime.

Isn't that what making the roads safer is all about? Don't convict a person who wasn't behind the wheel, because you're not slowing that person down. You want to slow down the people who commit the offences, and that's the way this piece of legislation should read.

We should be doing everything we possibly can to identify the owner of that vehicle and then proceed by levying charges against the driver, based on information obtained from the owner. If the owner does not wish to

go ahead and identify the driver, then the owner would become liable to pay the fine.

Number one, that would be to me a much more fair and equitable system, and, number two, it would fall within the criteria of what the Attorney General says should be done, and that is make the roads safer. We must be in a position to deter the actual driver who is speeding, not someone who's loaned the vehicle to someone else and is otherwise a law-abiding individual.

The other aspect of this is, if this legislation was to read the way I have suggested, then the argument that all this is just a tax grab is no longer valid. The argument that all this is just a tax grab goes out the window if those changes are made in this piece of legislation.

I think this can be made a much better bill. It can accomplish exactly what the Attorney General and the Minister of Transportation want to accomplish and it can destroy the argument that all this is is a tax grab. If this bill is left the way it is now, it really is a tax grab. All it is is a way to get money into the provincial coffers. It is not, in reality, deterring drivers who speed and drivers who are breaking the law.

If you want to do that, then direct this piece of legislation against the driver. Photograph the driver. I don't believe, as I said in my initial remarks, that is an invasion of anyone's privacy. Drivers are driving on public highways. Public highways and public safety negate the argument that people's privacy rights are invaded. I don't believe that would be a sustainable argument.

But what I do believe is that if we direct this against the operator, then we are actually deterring speeding drivers and we are actually making the highways safer. That's what this piece of legislation is all about. That's why I, quite frankly, think that the thrust of this is all wrong. The thrust of this is to go against an owner of a vehicle and not an operator.

Madam Speaker, it's now 6 of the clock, and I would move adjournment of the House.

**The Acting Speaker:** It being 6 of the clock, this House stands adjourned until 1:30 on Tuesday, October 26.

The House adjourned at 1802.











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## Legislative Assembly of Ontario

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## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 26 October 1993

# Journal des débats (Hansard)

Mardi 26 octobre 1993



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers



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Tuesday 26 October 1993

The House met at 1330.

Prayers.

#### MEMBERS' STATEMENTS

##### TORONTO BLUE JAYS

**Ms Dianne Poole (Eglinton):** Today I rise on behalf of the Liberal caucus to salute our world champion Toronto Blue Jays. Who would have imagined on that snowy opening day at Exhibition Stadium some 16 years ago that our Jays would quickly go on to win five division titles and the World Series, and not only once but back-to-back World Series?

We've taken the Toronto Blue Jay heroes into our hearts and homes. Many of them have become household names—Devo, Robbie, Joe, Johnny O, Tony, Eddie, Pat, Duane, Juan and Todd. We all know who they are.

But in winning this year's World Series there were some new heroes for us: Dave Stewart and, of course, MVP Paul Molitor, both of them class acts all the way. And what about that new kid on the block, Pat Hentgen, who won an amazing 20 games for the Jays this year, including crucial World Series game 3?

Above all, there's Cito Gaston. We all know he's the best manager in major league baseball, bar none. He's proven it two years in a row, no matter what the critics say. Thanks, Cito.

I thought it impossible to match the excitement of last year when my daughter Kathleen and I went to Atlanta to cheer on our Jays when they won Canada's first-ever World Series, but this year's team continued the dream. They stirred our patriotism and let us forget, at least for a few brief weeks, all our cares. For this we thank them, from coast to coast and from every part of Ontario.

As we go into withdrawal for the winter months, visions of sugarplums will dance in our heads. Next year, threepeat.

##### NORTH YORK PERFORMING ARTS CENTRE

**Mr David Turnbull (York Mills):** The official opening of the North York Performing Arts Centre on October 18 was a wonderful celebration which marked the coming of age of North York as a cultural community.

This gorgeous facility includes a main stage theatre, a recital hall and a small studio theatre.

The acoustics in the recital hall have received a top grade from Kerry Stratton, conductor of the North York Symphony Orchestra. In addition to housing the orchestra, the hall will attract other world-class concert artists such as the 83 international stars who are booked for this season.

The studio theatre, suitable for intimate performances, is the perfect space in which local performing artists can enhance their profile.

This \$48-million structure is a state-of-the-art building in its innovation and design. The National Arts Centre in Ottawa is a comparable facility, yet using adjusted figures, the cost per seat in North York was only \$16,000

as compared to over \$50,000 in the nation's capital. Thus, our own centre is a testament to the way that the private and public sectors can work together to provide cost-effective solutions.

Who needs to go to New York when you can go to North York? Eat your heart out, Broadway.

##### POLITICAL PARTY LEADERS

**Mrs Karen Haslam (Perth):** I'm going to be quoting a column today called Queen's Park by Paula Todd, the title, "Leaders Struggle to Show They've Got the Right Stuff."

"Everything about Tory leader Mike Harris looks new—his hair is longer, lighter, more swept, his suits bigger, broader, better tailored.

"His demeanour is improved too—evidence, perhaps, that personality engineering is a viable science....

"McLeod, however, has more problems than Harris. To be fair, Harris had nowhere to go but up after a sorry start. But McLeod's still struggling to grab the attention and imagination of voters, not to mention party members....

"Ask yourself what the Liberals stand for under Lyn McLeod. If you have trouble answering—most of us do—it's a good sign that McLeod's opted for the lie-low-and-pray-this-trend-continues approach....

"As for Bob Rae...he looks burdened and serious and stern. Like a Premier who's into the work with both hands....

"Rae wants to demonstrate strong, steadfast leadership. Within a day of returning to the Legislature, he announced plans to impose new residency requirements on construction workers in Ontario and rules to prevent municipalities from buying buses made in Quebec. It's a direct assault on the Quebec regulations that prevent Ontarians from working there and favour Quebec bus purchases.

"Later, Rae took the lead in calling for an all-party national plan to attack Canada's economic crisis. He wants a think tank immediately after the October 25 federal election....

"We need a national plan that deals with jobs and that gets the economy moving again really at every level," he said.

"Rae is right, of course...As Harris and McLeod struggle to show they've got the stuff to lead Ontario, Rae's demonstrating he's got more—provincial loyalty and national vision."

##### JOHN TORY

**Mrs Elinor Caplan (Oriole):** I'd like to extend a warm Ontario welcome to John Tory. Welcome home, John.

Ontario PCs have missed your input, your influence while you've been in Ottawa advising the federal leader and running the Tory election campaign.

I'm sure John Tory will now have lots of time to offer his advice to Mike Harris and Ontario's Conservatives. I

know Mike Harris will be happy to have his old friend home. John Tory, Mike Harris welcomes you with open arms.

With the help of John Tory and the rest of the Big Blue Machine who are now back in Ontario, the Ontario Conservative caucus will gain from their valuable experience and advice now that their old friends are back home.

John Tory will be able to continue the work he did and plan advertising campaigns as he did for Kim Campbell, advertising campaigns that turned Ontarians and Canadians off.

I hope John Tory, Hugh Segal, Pat Kinsella and all the Big Blue Machine are able to convince Mike Harris that the Reform Party is not the way to go.

With John Tory back in Ontario, the next election will be worth waiting for.

A big welcome home to John Tory and the rest of the Big Blue Machine. I say thank you, Mr Speaker, for this opportunity to remind the Conservative caucus how important it is to be nice to their old friends. This is a sad day for them, but I think they've learned a lot and will be good advisers for Mike Harris.

#### HUSKY INJECTION MOLDING

**Mr David Tilson (Dufferin-Peel):** I'd like to inform the Legislature today of a business success story within my riding of Dufferin-Peel. Husky Injection Molding in Bolton has been honoured with the 1993 Canada Export Award. The award was presented to companies that have demonstrated ability and success in the global trading arena. Canadian exports have achieved record levels in 1992, continue to drive our economy in 1993 and lead the way to overcoming the global economic recession.

This award is the continued success in the story of Husky Injection Molding of Bolton. It started in 1953 as a small machine shop. Under the leadership of Robert Schad, Husky Injection Molding has grown to become one of the world's leading suppliers of injection molding equipment for the plastics industry. Husky produces everything from bottle caps to plastic cutlery to compact disc cases and has established itself in 61 countries throughout the world. Husky currently employs over 700 employees at its headquarters in Bolton, as well as an additional 400 in sales offices throughout the world.

1340

Husky's commitment to both its customers and its employees, through training and apprenticeship programs, has proven it to be a competitive company that has been able to consistently increase its sales records an average of 20% a year. Husky's success is not limited to sales, however. In the past five years alone, its workforce has increased by 24%. I would like to personally congratulate Husky Injection Molding upon receiving the 1993 Canada Export Award, and trust that members from all parties will acknowledge Husky's achievements and wish them continued future success.

#### MIDDLESEX FARM HIKER TOUR

**Mrs Irene Mathyssen (Middlesex):** I would like to report to the House that on Sunday, October 3, Middlesex farm families hosted the Annual Middlesex Farm Hiker Tour. In all, interested tour participants, an estimated

3,000-plus people, visited 10 locations and were able to see deer, beef, egg, sheep, dairy, apple, greenhouse, pork and cash crop operations.

I would like to congratulate the co-chairs of the event, Bill Irwin of North Dorchester township and Carolyn Murray of Westminster, as well as the Association for Food and Agricultural Awareness, the Middlesex Women in Support of Agriculture and the farm families and exhibitors of Middlesex who arranged and delivered a first-class tour for the people of London and Middlesex.

My family and I spent much of that Sunday afternoon visiting with friends and neighbours, sampling the best food that Ontario has to offer and enjoying farm tours.

Thanks to Elgin and Dorothy Vessie; Tom and Loretta Needham; Andy and Nancy Orosz; Ralph and Carol Stephen; Ron, Mary, Gerald and Jean Johnson; Jansen's Greenhouse; Huron Tractor; Pat and Susan Van Bommel; and of course Ernie Muzylowsky and family of Appleland for a superb event that allowed the urban constituents of London-Middlesex area to understand better the importance of agriculture in Ontario, the collective accomplishments of the rural community and the pride and dedication that keep farm families on the land to secure the safe, reliable food supply on which all of us, both urban and rural, depend.

#### SUPPORTS TO EMPLOYMENT PROGRAM

**Mrs Yvonne O'Neill (Ottawa-Rideau):** I'd like to bring to the attention of the House today the questionable cuts to the supports to employment program, which was the previous government's response to the Social Assistance Review Committee's report, *Transitions*.

This successful program is currently serving 93,000 Ontario recipients by bridging the transition to the workforce and, until they are established, maintaining some of the benefits of social assistance.

In some cases, the deduction of child care expenses is helpful. In others, disability-related work expenses are deducted. The purpose of STEP is to ensure that social assistance recipients are better off working.

For the second time in as many years, this NDP government has attacked this program by further reducing the exemption levels of net employment income, thus reducing the financial incentive to work, to get off the social assistance rolls. This takeaway in the STEP program is but another example of this NDP government cutting successes, cutting in this case personal successes.

I urge the Minister of Community and Social Services to rethink these cuts and to stop undermining the very programs which are attaining successful results for those Ontarians who are most in need.

#### PORNOGRAPHY

**Mrs Margaret Marland (Mississauga South):** This is White Ribbon Against Pornography Week. This week, people across Canada are wearing white ribbons to show their concern that the degradation and violence of pornography hurt individuals, families and communities.

Many studies link violent and explicit pornography to crime. An American forensic psychiatrist, Dr Park Eliot Dietz, finds that some troubled youth who view sexual violence as adolescents later become serial sex killers.



There are also many studies that find a causal link between pornography and sexual assault.

Another disturbing conclusion by Dr James Check of York University is that children between the ages of 12 and 17 are the primary consumers of pornography in Canada.

But despite the growing evidence of the harmful effects of pornography, the Ontario Film Review Board wants to change its guidelines to allow more acts that are degrading, dehumanizing and possibly violent. Only after a public outcry did the OFRB decide not to allow sex videos to portray double penetration, the insertion of foreign objects, ejaculation on the face and bondage.

The OFRB must realize that its rating decisions do not reflect community standards. If they did, we would not have thousands of Ontarians writing letters of protest and joining community action groups. If they did, we would not have dozens of municipalities passing bylaws to keep X-rated video stores out of our communities.

We hope that eventually this government and the Ontario Film Review Board will understand once and for all what community standards really are in the province of Ontario.

#### CANCER PREVENTION

**Ms Jenny Carter (Peterborough):** I wish to speak to the importance of preventing cancer in this province. I commend the efforts of Peterborough's health unit and medical officer of health, Garry Humphries, for putting a great deal of energy and commitment into their anti-smoking campaign. The unit is working with the school boards to get the message into schools and is also working with other groups, such as the Lung Association, to talk to existing smokers in their workplaces. Major public buildings in Peterborough, including city hall and the Memorial Centre, are smoke-free.

I also find myself the target of a lobbying effort, and I appreciate that. I know Health minister Ruth Grier and her parliamentary assistant Larry O'Connor will be introducing tobacco legislation at the first opportunity.

Smoking is an obvious source of unnecessary cancer and other illnesses and of premature death. However, we must not forget that the horrendous, increasing incidence of cancer is not only a result of smoking but is also caused by carcinogenic chemicals in our workplaces and our larger environment.

Every sufferer must be cared for, and I appreciate efforts made recently in this House to bring forward the needs of individuals who require treatment. However, no health service financed by taxpayers is going to indefinitely be able to meet the needs of a society plagued by avoidable cancers.

I welcome the efforts of our Health minister and all anti-smoking campaigners. We must work on all fronts to prevent cancer. We know what many of its causes are. Let's get rid of them.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### TEACHERS' DISPUTE

**Hon David S. Cooke (Minister of Education and Training):** Negotiations between the Lambton County

Board of Education and the branch affiliate of the Ontario Secondary School Teachers' Federation have been under way for more than 22 months.

After taking several steps, including work-to-rule, the teachers went on strike in support of their demands on September 14, 1993. This strike is now in its 30th day. This is the second teachers' strike at the Lambton County Board of Education in the last three years.

Substantial progress has been made in negotiations. However, the parties have been unable to reach a final resolution of their collective agreement. In fact, both the teachers and the board tell us they are unable to reach an agreement on their own, that a legislated solution is necessary to bring the strike to an end.

Parents and teachers are very concerned about the strike and the effects it will have on students for the successful completion of their school year.

Last Friday, I met with representatives of the Education Relations Commission. They reported to me on the ERC's attempt to help the board and the teachers solve the dispute. This has included extensive discussions with the parties by field staff and information services staff of the commission. A fact-finder and a mediator were appointed. The commission's chief executive officer was involved in talks. Finally, a public inquiry was held on October 21, 1993.

Officials of the commission have told me that they saw little prospect for a negotiated settlement of this dispute in the near future. However, for the good of the students a resolution to this strike must be reached.

As a result of the commission's findings, I will be introducing legislation later this afternoon to enable classes to resume in the secondary schools of the Lambton county board. The legislation I'm introducing will provide a mechanism for the settlement of the items remaining in dispute between the board and its secondary school teachers.

The legislation will ensure the teachers return to work immediately. Teachers and the board will be asked to develop and submit a joint plan outlining how they will make up lost instruction time for students. If no settlement is reached within 15 days of royal assent to the legislation, the bill will give the teachers the opportunity to participate in a supervised vote on the last offer submitted to them by the board.

1350

This legislation has been designed to give the parties a period of time to design their own dispute resolution mechanism or come up with a collective agreement with a minimum term of three years. If neither of these objectives is completed within 40 days after royal assent to the bill is given, the government will impose a dispute resolution mechanism on the parties. The legislation will obligate the parties to file with me and the Education Relations Commission a proposal on how they have jointly agreed to improve their relationship by March 1, 1994.

The process we are recommending is based on the belief that any successful legislated resolution to the labour dispute must be designed to allow the parties to

reach an agreement themselves after the strike has ended. It is based on the philosophy that the parties must be held responsible for both making and renewing collective agreements and the consequences resulting from their failure to do so.

Our government believes in the free collective bargaining process. It is always best for the parties involved in the collective agreement to reach their own solutions. But in this situation both parties, teachers and the board, have told us that the school year is in jeopardy and only a legislated solution will ensure that the year is not lost.

The parties will still have the opportunity to reach an agreement locally. That is our wish: for teachers and boards across the province to find local solutions to collective bargaining issues. In the meantime, students will be able to return to their classes.

I believe the legislation I will be introducing this afternoon affords both parties and the community the time and the opportunity to take steps to improve their relationship and to establish a sound labour relations process for the future.

**Mr Charles Beer (York North):** In response to the minister's statement, I want first of all to say that we believe, as he has pointed out, that the only solution at this time is to bring in legislation. As the minister has noted, both the school board and the union representatives have referred to that.

What we do have to underline, though, to the minister is that clearly what the minister is now having to bring in is back-to-work legislation and that the process of free collective bargaining has been dramatically affected by the steps he has had to take this afternoon.

I think there's one very critical thing that is missing from the minister's statement today, and that is, what are his proposals in terms of how we handle these kinds of situations in the future?

I want to refer to the minister a report from his own government, the Knott report, which was presented on March 29, 1993. That report, which was entitled Labour Relations Report—Elementary and Secondary Education Sector, was the culmination of a series of negotiations and discussions with all of the main players in the education sector: the teachers' federations, the school boards, the Education Relations Commission, the Canadian Union of Public Employees and others.

Minister, I want you to go back within the term of your own government, where we have had other strike situations that went on for a very lengthy time and where, in particular, we are dealing with semestered schools. We know that when the original legislation was drafted and brought in, back in 1975, there were no semestered schools, or if there were at that time, there were very few.

All of the participants in Ontario in educational bargaining have, over the last couple of years, presented proposals around improvements to Bill 100. They have come from teachers' federations and school boards as well as the Education Relations Commission. The purpose in setting up the Knott committee was to look at those various recommendations and see what kinds of steps

could be taken.

The critical factor, and it's set out in the Education Relations Commission's report and in the minister's statement itself, is that we have to be concerned about the students in the classroom and we have to determine in a much more effective way when the education of those students is in jeopardy.

What we needed from the minister today was not just a process in trying to resolve this strike. As I read what the minister has said, basically the legislation that he's bringing in will send the teachers back to the classroom but then allow for more discussion and a series of stages or steps in which it is still hoped there will be an agreement. We know we have the situation in East Parry Sound, we know we have other school board situations where, partly because of social contract discussions and the expenditure controls, there is a high probability that there will be other either work-to-rule or strike situations which we're going to face in this province.

We need to say, "Let's take a lot of the recommendations that have come forward from all of the stakeholders and see how we can improve the way that collective bargaining system works," because, as I said to the minister's predecessor a year and a half ago when the Carleton strike ended, if we really believe that free collective bargaining is the way we want this sector to operate, and we believe that is the way it should operate, then we, not just those of us in the Legislature but the teachers and the boards, have to ensure that we make that system work.

What we have seen in Lambton is a process that didn't work and where at the end of the day the students are in jeopardy. As the minister has pointed out, they've lost 30 days, and no matter what kind of plan is drawn up by next Monday, I think anyone who has ever been in a classroom and who has taught would recognize that it is going to be extremely difficult to make up all of that time.

I believe our obligation as legislators now is to say, "Look, school trustees, teachers' organizations, community representatives, let's sit down and see how we can improve that system," one that has worked reasonably well but which is showing some real flaws right now. If we don't deal with it, we are going to have more situations such as the one we've had in Lambton. Again, the guiding principle must be how can we best protect the rights of our sons and daughters who are in the elementary and secondary system and ensure that they get the kind of education they deserve.

**Mrs Elizabeth Witmer (Waterloo North):** I'd like to thank the minister for bringing in this legislation today. This is something that my colleague the critic, Mrs Cunningham, has been calling for. She has been most concerned about the fact that the students in Lambton county are in jeopardy, that they are going to be losing at least 30 days, and she has been calling for the minister to make this type of recommendation we see here today.

Given the social contract and the fiscal restraints, however, one has to wonder why the students in the system in Lambton county were forced to be out of school for 30 days, and that's something we certainly



have not seen answered today.

I believe this has everything to do with the social contract. The Premier had indicated previously that everyone was supposed to be treated equally. However, if this now goes to arbitration, in the absence of arbitration guidelines the potential is there for an increase that is far beyond what was said would occur under the social contract guidelines, and yet everybody else in this province has had their wages either frozen or cut.

There are certainly some serious questions which are left unanswered concerning the entire process that has taken place in Lambton county. I would concur with the remarks that have been made by my colleague for the Liberal Party: It is time for all of us to sit down and to make sure that we avoid a situation such as the one we have experienced in Lambton county. We need to always keep uppermost in our minds the students who have been put in jeopardy because they have lost 30 days.

**Mr Ernie L. Eves (Parry Sound):** I'd just like to make a few comments about the legislation today. I think it's a sad state of affairs when we have to have students anywhere in this province lose 30 days out of their education before we have a government or an Education Relations Commission that has the intestinal fortitude to do something on behalf of the students.

I always thought the education system was there for the benefit of students, not for the egos of board members or for the pockets of teachers. I thought an education system was there to serve the students, to educate students. The member for York North and the member for Waterloo North make some very valid points. Why do we have to wait for 30 days of lost education of students in our system before somebody gets it in their head that they should take action and do what's fair to the students, which is what the education system is supposed to be all about?

I want to point out that the strike in East Parry Sound is now into its 13th day and I would assume you're not going to wait 30 days there. Perhaps you'll learn by this mistake and take some pre-emptive action to do something for the students of the province: not the teachers, not the board members—the students. I keep coming back to that, because apparently you haven't grasped it over there.

1400

I also would like to point out that this legislation is somewhat different from two previous ministers of Education, the Honourable Mr Conway in the Wellington county strike and the Honourable Bette Stephenson in the Leeds-Grenville strike. They spelled out in legislation their dispute-settling mechanism. The minister says in this legislation that he'll reserve and he'll let us know by some order in council or regulation: "I'm not going to spell it out in legislation how I'm going to do it." Be upfront and honest with the people you're dealing with.

**Mr Chris Stockwell (Etobicoke West):** With this piece of legislation the government is asking for today, as I understand it, the government is looking to order the teachers back to work. They would like first, second, third reading and royal assent. To me, that sounds like

bang, bang, bang, bang. It just took them a few months to understand it.

**The Speaker (Hon David Warner):** It is now time for oral questions; the honourable Leader of the Opposition.

*Applause.*

*Interjections.*

**The Speaker:** All this, and you haven't even said anything.

## ORAL QUESTIONS

### JOB CREATION

**Mrs Lyn McLeod (Leader of the Opposition):** Last night, there was a jobs referendum in this province. The NDP's shutout in the province of Ontario gave a very clear message that the people of this province are simply fed up with this government's complete mismanagement of jobs and the economy. Premier, did you get the message? When are you going to put jobs and the economy at the top of your agenda?

**Hon Bob Rae (Premier):** I would certainly agree that the federal Liberal campaign that culminated in last night's election was an exceptionally well-managed campaign.

Let me say in all seriousness to the Leader of the Opposition in response to her question that I had a brief and constructive conversation with the Prime Minister-elect yesterday evening, in which I said to him that we look forward to working in partnership with him on a national infrastructure program and on a national jobs program.

I'd put a challenge to the former government to match us in terms of what we were prepared to do, and we had nothing from the previous administration but neglect, maladministration and completely ignoring the interests of the province of Ontario with respect to jobs and with respect to the infrastructure.

The federal Liberal Party has told us that it will be a new day in terms of cooperation with this province. I can tell the honourable minister that we look forward to their cooperation with us in terms of rapid transit, in terms of sewer and water, in terms of the work that's under way in Jobs Ontario Community Action, Jobs Ontario Homes, the trade centre and the airport. We are ready, we are moving, we're ready to go, we're going, and we want the federal Liberal Party to come with us and we want you to make sure it's joining us. These jobs are under way, and now we've got to get this government on side.

**Mrs McLeod:** We had understood earlier today that the Premier was ready to go. In fact, we understand he has said that he really does hope that some time within the next very few days he would be able to establish his jobs agenda. Premier, the question in everybody's mind is, where have you been for the last three years? We all saw the leaked memo from your office about a month ago, in which your communications staff advised that you should have a jobs agenda as a re-election strategy. It seems that after last night, the Premier does have to be concerned about one job in particular, and that's his own.

But quite beyond the partisanship of the night after an

election, there is a very serious issue about jobs in this province. I say to the Premier that 11,000 more layoffs and job losses have already been announced for the coming months. They include 73 jobs at Mallory Controls in Woodstock, 83 jobs at Muller's Meats in Niagara and 60 jobs at Boeing in Amnrior. I ask you in all seriousness, what did these kinds of cold numbers say to you about your failure, not the federal government's failure but your failure, to deal with this province's economy? When will you understand that it is your government?

**The Speaker (Hon David Warner):** Could the leader conclude her question.

**Mrs McLeod:** Premier, when will you understand that it is your government, your government's mismanagement, that is responsible for the jobs that are being lost across this province?

**Hon Mr Rae:** I'm sure the new federal government will be dealing with the free trade issue, I'm sure it'll be dealing with the GST and I'm sure it'll be dealing with John Crow. All those are factors which they themselves have identified in their little red book as being the critical reasons why the economy has been in such difficulty; those are the reasons they identified as being problematic.

I say directly to the honourable member, where has she been when we've announced Jobs Ontario Capital programs worth nearly \$4 billion this year alone? When it comes to highway construction, we've already let more contracts in the first six months of this year than were ever done in the history of the province of Ontario. That's what the New Democratic Party government has been doing. Where have you been?

Where has she been on Jobs Ontario Training? You want to cancel a \$1-billion training program in the province of Ontario; we want to get the federal government involved in giving us our fair share so it's not all going to other parts of the country instead of coming to Ontario. Are you going to be fighting for Ontario with your new federal colleagues, with your 98 colleagues who are up there in Ottawa, making sure they deliver? We're going to be making sure they deliver. Are you, when it comes to making sure the federal government delivers on its promises to the people in the province of Ontario? What are you going to be doing?

*Interjections.*

**The Speaker:** Order. The Leader of the Opposition with her final supplementary.

**Mrs McLeod:** It seemed to me that the people of this province said last night they wanted a government to have a plan for jobs and economic recovery. Premier, here's your plan: This is all you've given the people of Ontario; this is your plan for the next two years, your legislative agenda. There's nothing here about jobs; there's nothing here to get the economy going again. All there is here is some new taxes, and that's exactly what the people of this province voted against last night when they sent people like Mike Breagh and Steven Langdon and Howard McCurdy walking.

Premier, listen to what people said when they voted last night. It's the same thing that people have been saying when they write to us—I keep trying to make their

voices heard in this Legislature—like the person from north of Toronto who writes and says, "NDP policies are killing my business," or the small business person in eastern Ontario who has said, "These new taxes could literally ruin my business," or the retailer in Kingston who says: "Why doesn't the NDP help instead of killing off small business? We have to cut our staff again."

Premier, what do you have to say to these very real people? How do you explain your \$3-billion tax increase to these people who are losing their businesses and losing their jobs? Why don't you get the message that people sent you last night?

1410

**Hon Mr Rae:** The honourable member is talking about the experience of taxes that the people of this province have suffered from. Every business person I talk to, every small business person I talk to, says to me, "Premier, we know you didn't create this problem, we know you're struggling to deal with it effectively and we know that what you've had to do is nothing compared to the employer health tax, the increase in the sales tax, the increase in the regulatory burden brought out by the Liberal Party, the tire tax, the commercial concentration tax." Which party abolished the commercial concentration tax? The New Democratic Party of Ontario, our government. Which party abolished the tire tax? The New Democratic Party of Ontario.

I can tell the honourable member, we are going to be working with the business community and we're going to be working with the new federal government to make sure we get things moving in this country together. We're going to do it by working cooperatively and we're going to be doing it by defending the interests of this part of Ontario, which have too long been neglected by our federal governments.

I look forward to that change and I'm sure I'll have the support of the honourable member when we want to get rid of the cap on CAP. I hope she'll be there when we want to end discrimination in training programs. I hope she'll be there when we want to deal with real tax reform. I hope she'll be there when we want to get them involved in terms of new highway construction and new infrastructure. I hope she'll be there, because I know where we're going to be: fighting for the people of Ontario, faced with the kind of—

**The Speaker:** Would the Premier conclude his response, please.

**Mrs McLeod:** It seems to me I heard a lot of those same words in the first speech from the throne. The people of this province hope the Premier will actually deliver this time.

#### WORKERS' COMPENSATION BOARD

**Mrs Lyn McLeod (Leader of the Opposition):** My second question is also to the Premier. This time I want to turn to the issue of mismanagement, and in particular our continued concerns with mismanagement at the Workers' Compensation Board. We recall the fact that the New Democratic Party members on the public accounts committee quashed a further review of the auditor's special report into the now infamous WCB



building; they deferred consideration of this auditor's report until some time after the next election. Then the vice-chair of the Workers' Compensation Board, Brian King, who, Premier, is your appointment, decided to attack the auditor's credibility before the public accounts committee.

The auditor has now released a letter outlining what he calls misleading and factual errors that were made by Mr King in his testimony. Premier, have you read the auditor's letter? Have you listened and heard his allegations? Can you tell us whether you continue to have confidence in the management of the Workers' Compensation Board?

**Hon Bob Rae (Premier):** I can tell the honourable member that I have been meeting over the last several months with leaders of the business community and leaders of the trade union movement in an effort to reform and improve the work of the Workers' Compensation Board. We have been doing everything we can to make sure the board acts efficiently and fairly and recognizes the need for change.

In direct response to the honourable member, I can say that I continue to have a great deal of confidence in Mr King, who's wrestling with some very difficult issues and is a man of great integrity and great ability.

**Mrs McLeod:** Premier, I asked specifically whether you had read the auditor's letter, because I believe in that letter there are very serious concerns raised that should cause you to have some doubts in the management of the Workers' Compensation Board.

Mr King, when he appeared before the public accounts committee, said that the auditor's report was merely subjective. He also claimed that the auditor refused to provide a legal opinion on the financial transactions that were being made by the WCB. The auditor responds in his letter: "Mr King's allegation is not factually correct. Under the Audit Act, I am precluded from providing the legal opinion."

Premier, I wonder how you can continue to support the WCB's management when the WCB management is ducking its own responsibilities by falsely blaming the auditor for its own lack of accountability.

**Hon Mr Rae:** There may well be a difference of opinion between Mr King and the auditor. That, to me, is something we'll all have to respond to. But the reality of what Mr King is saying about the management of the board and about our determination to act fairly and with integrity—Mr King is somebody who's managed the worker compensation board in other provinces. He's an injured worker himself. He's somebody whose appointment was recommended by Dr Elgie, who was a former chairman of the board and a former minister in the Conservative government. I would say to the honourable member, I think Mr King is a person who's acting to deal with a very difficult situation and is acting with a great deal of integrity.

**Mrs McLeod:** I'm asking the Premier to deal specifically with the issue of Mr King's appearance in front of the public accounts committee and the refusal of the NDP members on the public accounts committee to deal with

the very serious allegations of a lack of accountability on the part of the WCB.

The Premier knows, as we surely all know, that this is really a financial crisis situation that the Workers' Compensation Board is facing in the province of Ontario. I'm sure he hears that everywhere, as I do, the fact that there's an \$11-billion unfunded liability and that that liability is growing by more than \$1 million a day. It is absolutely imperative that people have some confidence that the WCB is being appropriately and well managed.

I suggest to the Premier, and again I say, that Mr King is his political appointment and that all Mr King has done is to try to blame the problems on the auditor. He went so far in his statements before the public accounts committee as to somehow claim that the auditor had given the go-ahead for the new WCB building, based on a previous audit that had been done. The auditor in his letter today says very clearly that at the time he did the previous audit, he couldn't possibly have known about the Workers' Compensation Board's plans to go ahead with its new building. He couldn't possibly have given them the go-ahead.

Premier, I don't know how you can continue to have confidence in the management of the Workers' Compensation Board, and I ask you what you are now prepared to do about the misinformation and mismanagement that is coming from the WCB.

**Hon Mr Rae:** Let me again just say to the leader—I know she won't want to hear this—every observer I talk to, in the business community and in the labour community, tells me and others who look at it that they were promised—Bill 162 was supposed to be fiscally neutral. That was the legislation brought forward by her colleague who's sitting just down the hall from her. I would say to her that the evidence has been overwhelming that Bill 162 has not been fiscally neutral, that it's been financially enormously expensive for the board and that it has caused enormous problems in terms of the overall plan. So what we're having to deal with now, I would say to the honourable member very directly, is with the consequences of that.

What we have said to the parties is this: It's not a matter of personalities; it's a matter of looking at the overall structure, the legislative foundation of the board and our understanding that reform is required and necessary. But we very much want to get the parties owning the problem and taking some joint responsibility for it, since they are responsible for managing the board and they are responsible for financing the board. That's what we've asked them to do, and we're continuing to work on a priority basis. Even this week I'll be meeting again with people about this issue and we continue to follow it with a great sense of urgency.

**The Speaker (Hon David Warner):** New question, third party, the leader of the third party.

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**Mr Michael D. Harris (Nipissing):** Perhaps, Mr Speaker, you would permit me 10 seconds to offer congratulations to the McLeod-Chrétien Liberals in their great victory last night and our very best wishes, firstly

on behalf of our caucus, for the very difficult challenge they're going to have in governing Canada.

Having said that, I wish to ask a question of the Premier. I want to follow up with a question that was raised by the leader of the Liberal Party, to wit, last week the letter to the Chair of the standing committee on government agencies where the Provincial Auditor made very serious allegations against the vice-chair of the WCB, Mr Brian King.

Aside from the responses so far, we all agree labour and management are very concerned about reforms at WCB, but quite frankly they don't have confidence in the leadership to be able to carry it out and this is increasingly becoming a problem.

The auditor wrote, "We now find that in September 1993, Mr King challenges the objectivity of our report and attributes actions or statements to me which are not factual and which I am duty-bound to correct."

Premier, this is a very serious charge made by the Provincial Auditor of this province against one of your personal appointments to the WCB. I ask you very directly today, in light of this, why have you not come to the Legislature today informing us that you have asked for Mr King's resignation?

**Hon Mr Rae:** Because I believe in fairness in terms of public administration. There is a difference of opinion between the auditor and the vice-chair of the Workers' Compensation Board with respect to certain events. I don't think there's anything untoward in that. I don't think there's anything necessarily horrendous in that. I think there are some issues of public administration with which we have to deal.

I can say to the honourable member I think Mr King ought to be allowed to respond to the auditor's letter, which he was sent a copy of, I understand, the letter that was sent to his colleague from Oakville. I think he ought to be entitled to respond to it, which is what I intend to do.

**Mr Harris:** The only person who hasn't had a chance to respond, because he has been barred by the majority of your committee, is the auditor. He now has to take to writing letters. Brian King was your handpicked choice to manage the WCB. His defence of the \$180-million imperial headquarters has been in question from day one. Now we have the Provincial Auditor alleging that Mr King knowingly or through incompetence misled a committee of this Legislature.

Premier, this is unprecedented. Do you not see that, given Mr King's total disregard for the elected members of this Legislature, for a duly appointed committee of this Legislature, you really have no choice but to ask for Mr King's resignation and to ask for it today? Will you do that?

**Hon Mr Rae:** No, I would have thought the choice was clear. I would have thought the choice would be to make it clear that we ought to give Mr King a chance to respond to some of the things that were said in the letter by the Provincial Auditor and understand that, as I say, there's clearly a difference of opinion between these two gentlemen.

**Mr Harris:** This is just the latest of a series of bad-news stories that have been coming out of the WCB. They have an unfunded liability of some \$12 billion and growing. Some businesses just found out they're facing rate hikes of 75%, then this building, and now this. Obviously what Mr King is doing is not working and there is a tremendous lack of confidence (a) in his ability to lead and now (b) in his respect for the elected members and a committee of this Legislature.

I suggest this to you, Premier: It is time that you stop playing political games with someone else's money and that you, for the first time since I've been elected, as the Premier of this province stop using the WCB as a dumping ground for political hacks and friends of whatever party. Will you immediately revoke the political patronage jobs at WCB, will you throw out this incompetent team of management and will you bring in professional, experienced insurance executives to turn things around at the WCB?

**Hon Mr Rae:** I always consider the source, and luckily I have a memory. I can recall the WCB and its administration with some personal intimacy over the years, and I can't recall a government that was more determined to exercise political patronage over every senior appointment during the last 25 years of its administration.

Mr King, on the other hand, if I may say so—

**Mr Harris:** He was fired out of Manitoba for incompetence; an NDP hack who left Manitoba for bankrupting their system.

**Hon Mr Rae:** —is somebody who came to the Workers' Compensation Board having worked for two other boards, having managed two other boards and, as I say, having been the person who was most highly recommended to us by a search committee that was chaired by Dr Bob Elgie, the former chair—

**Mr Harris:** Another political hack appointment that we were trying to do away with.

**The Speaker:** Order.

**Hon Mr Rae:** You describe Dr Bob Elgie as "a political hack appointment." Those are words which you can use to describe your former colleague, which, I can tell you, I would never use. Bob Elgie is a man of integrity, he's a man of outstanding ability, and he represents a far finer Tory tradition than you'll ever dream of or know of in this province. Unbelievable.

**The Speaker:** New question, the leader of the third party.

**Mr Harris:** Obviously, Premier, you have not understood the message that was delivered yesterday in the election. Bob Elgie was a political appointment—

**The Speaker:** And a new question.

**Mr Harris:** —and the public is saying, "We don't want political appointments; we want professional management." He was appointed to the political job. We're talking about—

**The Speaker:** Is this the leader's second question?

**Mr Harris:** —saying that it is the top civil service job, not the political job, and that is a big difference.



**Mr James J. Bradley (St Catharines):** I heard the word "hack."

**Mr Harris:** If he wasn't a political hack, what was he? Have you not heard anything the public's been telling you for the last three years?

**The Speaker:** Could the leader place his second question?

#### CORPORATION FILING PROGRAM

**Mr Michael D. Harris (Nipissing):** My second question is to the Premier as well. Last spring, Premier, as part of your multibillion-dollar grab, you imposed an annual filing fee of \$50 on all corporations in Ontario. Even though the legislation to allow you to do this has not yet been passed, you have threatened now to dissolve over 18,000 Ontario businesses for not filing this year.

We all know the only reason you imposed the annual filing is because you saw the dollar signs. A filing fee is NDP jargon for a tax, and we all know that this grabbing an additional \$10.5 million every year is the real reason you added to the already exhaustive paperwork and costs placed on our Ontario small businesses.

Premier, will you cease and desist this harassment of small business, withdraw this bill and this ill-conceived \$50 tax on the small businesses of Ontario?

**Hon Bob Rae (Premier):** I'm going to refer this to the minister responsible, the Minister of Consumer and Commercial Relations.

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** All other jurisdictions require annual filings, and the fees that we're charging are comparable across the country.

It was the Tory government in the 1970s that eliminated this annual return. It may have made sense at the time, but what happened is that the database, as a result of that decision, is in complete disarray. Every other jurisdiction in Canada requires the special filing once a year in order for this database to be publicly accessible, and it is necessary for these companies to make sure that the database is complete and in order.

**Mr Harris:** You were so desperate for cash in your last budget that you even hit non-profit corporations with a \$25 filing fee. As a result, you have now threatened to dissolve 850 organizations in this province, such as the Victorian Order of Nurses, the Timmins Police Association, the Optimists Club of Whitby, Palmerston and District Hospital Foundation, the Human Rights and Racial Equality Association of Hamilton and Region, the Kinsmen Club of Fort Frances, the Kiwanis Club of Orangeville, the Network for Single Mothers of Ontario.

Minister, are you and your Premier and your Treasurer and your government so starved for cash that you actually intend to dissolve some of the most respected non-profit organizations in Ontario for \$25?

1430

**Hon Ms Churley:** No. The issue here is that all of these people will be sent letters clarifying to them that they must, they absolutely must, under the law, give us the information once a year that is needed. For non-profit corporations, it costs \$25 a year to make sure that the

database is in order and we have the correct information which is on the public file. We have sent a letter to those companies that did not comply last year urging them to get their records in order and to pay this year. Nobody is taking away their status. We are letting them know, once again, that they have to pay that fee and they have to send in their information, but of course we're not taking away their status.

**Mr Harris:** My caucus has launched a task force on cutting red tape in growing small businesses. We are hearing over and over and over again that regulation and paperwork is one of the greatest concerns of business in Ontario. In fact, they estimate now they spend one day a week dealing with government paperwork and regulation.

Let's face it, the only reason for this filing fee is to grab another \$10.5 million—we all know that—so you can have information that's good enough to sell at the other end and collect even more money. We all know that.

I would ask you this: Why would your government not be up front, call it a tax, because that is what it is, and instead of saddling businesses with another \$50 to \$100 worth of paperwork to pay the \$50 tax, why don't you be more honest about it and levy it through the normal tax channels if that's what you want to do?

**Hon Ms Churley:** The leader of the third party has got it all wrong. He's got it completely wrong once again. This is an annual return that takes place in every other province, with a fee attached. What he also has wrong is his analysis of what this government is doing about small business. This is the government that is finally tackling the red tape that the two parties across the floor created for small business. We are in the process of coming up with unified tax reporting. This has never been done before. We are in the process of cutting red tape all over the place through all the ministries, which his government in the past created and the Liberals in their time created more and more of. He shouldn't mix the two. We are improving the situation, and the small businesses out there know that.

#### HEALTH SERVICES

**Mrs Lyn McLeod (Leader of the Opposition):** My question is for the Minister of Health, Minister, when your government embarked on the social contract, you personally made a commitment that vital health care services would not be hurt as a result of that social contract. Minister, I ask you today, what did you do to ensure in fact that critical health care services would not be affected? Did you take time to look at areas that, for example, were experiencing shortages of personnel or long waiting lists? Did you consider whether special arrangements or exceptions would have to be made in order to protect services in critical health areas?

**Hon Ruth Grier (Minister of Health):** I think, as the member knows, that certainly in some areas and with the regulations that were promulgated with respect to the social contract the definition of "critical function" was there so that as the social contract is implemented by the various institutions they have the opportunity to implement it in different ways depending on the needs and the critical functions that are performed.

**Mrs McLeod:** That is hardly accepting responsibility for ensuring that the social contract would not jeopardize access to essential health care. I do not believe that Mrs Elinor Read would be very reassured by the minister's response. Mrs Read went to the Bayview cancer centre for her appointment on October 5. She was told that her appointment was cancelled, that it would have to be rescheduled. In fact, Minister, Mrs Read was told, "Bob Rae has shut this place down."

In order to deal with the social contract's impact on its funding, the Bayview centre for cancer treatment has shut down for one day in October and will be shutting down for another day in November. This clinic sees 360 patients a day. You know, and you have known for a long time, that we are facing some very real problems in access to cancer care and treatment. I ask, did you even consider what the impact of the social contract would be on cancer care in this province? How could you possibly have allowed a problem to get even worse?

**Hon Mrs Grier:** I reject the allegation that the social contract has impacted on medically necessary services. The social contract allows institutions to attempt to manage their administration in a way that both reduces compensation payments and protects jobs and maintains services.

*Interjections.*

**The Speaker (Hon David Warner):** Order. The member for Halton Centre, order.

**Hon Mrs Grier:** I know, as the Leader of the Opposition has said, that anybody who disagrees with anything this government does says it's because of the social contract. I'm aware of somebody in an elevator who, when the door didn't shut in a hospital, said, "The elevators don't work because of the social contract."

But cancer, cancer treatment and dealing with the long-standing issue of how to provide adequate treatment—

*Interjections.*

**The Speaker:** Order. The member for Etobicoke West, come to order.

**Hon Mrs Grier:** —in this province for cancer patients is a priority and continues—

*Interjections.*

**The Speaker:** Minister?

The honourable member for Markham.

#### SOCIAL CONTRACT

**Mr W. Donald Cousens (Markham):** This question is for the Minister of Finance. On three separate occasions, I requested from you and your staff the opportunity to review the social contract agreements. On July 20, in a meeting with representatives from your ministry, I asked for an opportunity to look at the contracts. On July 29, I filed an order paper question requesting information. In the week of August 3, my office requested an opportunity to review the contracts once more. Each request has been denied.

What are you hiding, and when will you release all the social contracts to myself and the public for viewing?

**Hon Floyd Laughren (Minister of Finance):** I am aware of the requests that have been made by the mem-

ber for Markham. The problem is not because we are attempting to hide anything from the member. I suspect there's nothing in those contracts with which the member for Markham would find fault. Of course, I don't want to prejudice that, but I doubt it.

The problem is that there are something like—and don't hold me precisely to this number—7,000 contracts that have been sent in to the Ministry of Finance flowing from the social contract. They vary from full legal documents to a typewritten page, a resolution or motion passed by, for example, a municipal council. You can imagine that as we attempt to control the cost of the public service, we simply can't go out and hire 1,000 people to peruse those documents. So the Ministry of Finance people are plowing through them to make sure they do comply with the requirements of the Social Contract Act. That's the only reason, that they haven't finished doing that themselves yet. That's the only reason. We think we owe that to the people who send them in, to at least peruse them before we start distributing them.

**Mr Cousens:** The Ministry of Finance's refusal to allow us to look at these documents really speaks volumes. It's a form of censorship, because what you're doing is preventing us from looking at important information while it's still useful and still meaningful, not unlike the Cold War in Europe where you had a Berlin Wall and people put up all kinds of protection so that people couldn't see what was going on, to protect evidence from the real world. It's a news blackout that you're giving us, and we're just not allowed to get through the propaganda machine of you, your ministry and the government.

We want to see those documents. The public has a right to know what deals were struck and how these deals will impact both the private and public sectors. Again I ask you: When will you release the details of the contracts to myself and the public?

**Hon Mr Laughren:** All I'm saying to the member for Markham—and I appreciate his request and his interest in this matter; I'm not being at all critical in that regard—is, give us a chance to look at those 7,000 contracts before we start distributing them. As soon as we can get our officials plowed through them, who are plowing through them now to have a look at them—

**Mr Cousens:** Give us a date.

1440

**Hon Mr Laughren:** I'm not going to give the member for Markham a date, because I don't know precisely when that'll be. That group is working extremely hard to analyse all of the documents, because you've got—

**Mr Cousens:** Next month? Next year?

**The Speaker (Hon David Warner):** Order. The member for Markham.

**Mr Cousens:** In 1993? I want an answer to my question.

**The Speaker:** Will the member for Markham come to order, please.

*Interjections.*



**Hon Mr Laughren:** I am trying to answer the question of the member for Markham, but he's making it difficult.

We're not trying to be obstructionist with the member for Markham, who has a genuine interest in this matter, I believe. All I'm asking him is to give us a chance to go through those 7,000-odd documents before we start distributing to the public. If, for example, there was something in one of them that we wish to have clarified or corrected, surely we have an obligation to get back to the people who sent them in before we start distributing them widely to the public. That's the only reason why we're not distributing now.

#### COCHLEAR IMPLANTS

**Mr Gary Malkowski (York East):** I have a question for the Minister of Health. The provision of \$1.7 million as base funding to six hospitals to implement a cochlear implant program has been approved as of April 1993.

There are only 52 patients who will receive cochlear implants this year in Ontario. The Canadian Hearing Society and the Ontario Association of the Deaf want to know how the Ministry of Health made this decision to fund the cochlear implant project. Are there any research studies on cochlear implants on deaf children, possibly including longitudinal studies and evaluative measures, and has there been any consultation with the Canadian Hearing Society, the Ontario Association of the Deaf, Voice for Hearing Impaired Children and implant consumers?

**Hon Ruth Grier (Minister of Health):** There are a number of questions there, and let me say that I know of this member's intense interest in this particular subject.

In response to his question, yes, there are studies available on the pros and cons of cochlear implants, but I'm also very well aware that there is a real debate within the deaf community as to the merits of this procedure.

Adults and children in Ontario have been going to the United States for both the procedure and for rehabilitation, and in consideration as to whether this service ought to be provided in Ontario, a working group was established. There was representation from the Canadian Hearing Society, and that group made recommendations with respect to the criteria for eligibility of candidates as well as how provincial programs should be implemented.

For that reason and in response to the fact that there was an identified need, we have committed \$1.7 million to a provincial program. That program is available in Ontario, with an emphasis on the freedom of people to choose whether or not to have the procedure and a responsibility to make them aware that there is a debate and there are pros and cons.

**Mr Malkowski:** There are deaf organizations such as the World Federation of the Deaf, the Canadian Hearing Society and the Ontario Association of the Deaf that are raising serious concerns about experimentation on deaf children because of the medical, social and emotional risks these young, deaf children face because of the childhood implants.

Will you assure parents of deaf children and the deaf community that your ministry officials will establish a

system to assess the costs, the benefits and the risks of childhood implants as well as providing parents with full information, including potential medical, social and emotional risks of the implants?

**Hon Mrs Grier:** I want to assure the member that the ministry will continue to work with all of the stakeholders, including the hospitals and members of the deaf community, to ensure that the risks that I know the member is very aware of and with which he has made me familiar are avoided. Upon the request of the ministry, the Sunnybrook Medical Centre is coordinating the provincial program, and that will include providing staff education when requested, developing and maintaining a data system for implant candidates, organizing regular information meetings and evaluating the program once it has been operational for a reasonable period of time, which could mean in about two years, and at our request and in response to the concern of the member we have requested that the hospital develop an information kit for persons who are cochlear implant candidates so that they are aware that there is debate and that there are varying degrees of opinion about the merits of this particular procedure.

#### MUNICIPAL LEGISLATION

**Mr Bernard Grandmaître (Ottawa East):** My question is to the Minister of Municipal Affairs and it's concerning his announcement in Ottawa-Carleton last week concerning Bill 77, "Philip Can't Wait for Reform." Mr Minister, why would you want to ram Bill 77 through? Why can't you allow this House to debate Bill 77? You delayed the introduction of the legislation, you purposely delayed second reading of Bill 77 in this House, you didn't have the decency to make an announcement in this House—you made it outside—and now you will be limiting debate on Bill 77 to one hour.

Mr Minister, tell me the truth: Why would you want to ram this bill through?

**Hon Ed Philip (Minister of Municipal Affairs):** I don't quite know what the honourable member is talking about. What we did last week was publish the boundaries that had been arrived at by a committee set up of clerks of the municipalities. Indeed, the chair of the region of Ottawa-Carleton was quite complimentary of the excellent jobs that have been done, and I would think he would want his constituents, be they elected to a municipality or considering election, to know what those boundaries that have been arrived at are as early as possible so they could make democratic decisions as to whether or not they were going to seek office, and if so, where.

**Mr Grandmaître:** Minister, you're saying you want to make the people in Ottawa-Carleton aware. Why won't you make this House aware of what you intend to do in Ottawa-Carleton? We want to know. Now you want to limit debate to one hour in this House. This is very unfair, because you know people in Ottawa-Carleton are very concerned about this piece of legislation. I should say 10 of the 11 mayors are opposed. You're excluding the mayors from sitting on regional council. You challenged the mayors of Ottawa-Carleton to give you options to include the mayors on regional council. You didn't even have the decency to respond to those three options.

Mr Minister, come clean. Why would you exclude the mayors from regional council? Is this the way you will treat regional governments in the province of Ontario? Again, I'm asking you, why are you ramming this bill through?

**Hon Mr Philip:** The members of the Liberal Party like to have it both ways. Some of their members from the Ottawa-Carleton area are urging me to get on with the bill because they'd like to have the bill through the House as soon as possible.

**Mr James J. Bradley (St Catharines):** Name names.

**The Speaker (Hon David Warner):** Order.

**Hon Mr Philip:** Mr Speaker, the member obviously doesn't want an answer, because he insists on drowning me out.

**Mr Noble Villeneuve (S-D-G & East Grenville):** They are asking which riding they are from. Which riding are they from, Ed?

**The Speaker:** While it would help for all members to listen to the reply, it would also help if the minister would direct his response to the Chair.

**Mr Robert Chiarelli (Ottawa West):** Name the members who support it.

**The Speaker:** The member for Ottawa West, please come to order.

**Hon Mr Philip:** Mr Speaker, maybe it would do well for the honourable member to protect the democratic rights of the people of Ottawa-Carleton who want representation by population—that's a democratic principle—rather than standing up for certain mayors who happen to be friends of his.

**The Speaker:** New question, the member for Lanark-Renfrew.

**Mr Grandmaître:** Come clean.

**Hon Mr Philip:** On a point of order, Mr Speaker: Some of those mayors are not friends of his.

**Mr Norman W. Sterling (Carleton):** On a point of order, Mr Speaker: I don't think any of the mayors are friends of his.

**The Speaker:** I'm not sure who's friends with whom, but the member for Lanark-Renfrew has the floor.

1450

#### ALGONQUIN PROVINCIAL PARK

**Mr Leo Jordan (Lanark-Renfrew):** My question is for the Minister of Natural Resources. Mr Minister, with regard to the negotiation process with the Algonquin of Golden Lake natives, I would like you to tell this House what will be done with Algonquin Park. Will you confirm that Algonquin Park will remain under provincial authority, provincial control and provincial ownership?

**Hon Howard Hampton (Minister of Natural Resources):** The member asks a question which I know is of some interest to people in eastern Ontario. I think it's important to emphasize that the kinds of discussions the Ministry of Natural Resources has had with the Algonquins of Golden Lake have been discussions to exercise hunting rights and resource harvesting of that type.

The member may be referring, in part, to the land claim which the Algonquins of Golden Lake have also put to the government of Ontario and the government of Canada. That is a matter on which discussions are ongoing and on which I think it would be premature, at this point in time, to raise any issue.

**Mr Jordan:** According to a letter from Mrs Amos of Chiblow Lake Lodge, the minister for native affairs has stated that comanagement is alive and well in Algonquin Park. From this statement, it appears that the fate of Algonquin Park has been decided without consultation and that comanagement is a done deal.

Your government's stated objective in these negotiations is to ensure the integrity of Algonquin Park as a provincial park under continuing provincial ownership and control. Will you explain why the minister for native affairs is contradicting this statement in saying that comanagement is well and alive?

**Hon Mr Hampton:** The member opposite may want to try to find a contradiction there; in fact, he may try very hard to find a contradiction there. The reality is that we have provincial parks in Ontario where the Ministry of Natural Resources and a nearby first nation cooperate, for example, in managing entry to a park and with respect to other issues that go on in a park.

We believe we can show that comanagement of a variety of resources can be made to work in Ontario without jeopardizing the integrity of our parks, without jeopardizing the integrity of our natural resources. If the member chooses to find a contradiction in that, I'm sorry to have to say to him that I think he's quite wrong. We believe we can work out cooperative management strategies in a number of locations.

#### PROPOSED TRADE CENTRE

**Mr Anthony Perruzza (Downsview):** My question is to the Minister of Economic Development and Trade. Because I represent a riding that has a lot of unemployed construction workers, my question to you is, what do you see happening with the national trade centre in Metro and the potential construction jobs to be created by that now that the previous Tory government, which refused to support this project, has been replaced?

**Hon Frances Lankin (Minister of Economic Development and Trade):** I appreciate the question from the member. It's obviously a very timely question and an important one. I point out that the national trade centre, along with the Metro convention centre, because there are two projects in fact in a package that we have proposed funding for, are projects we would like to see proceed. We have cooperation from the Metro level of government. They would like to see this proceed.

Immediately after the writs for the federal election were announced, unfortunately, the federal Tories indicated that they weren't going to support construction jobs in Toronto, they weren't going to support the kind of economic spinoff that would come from something like this national trade centre in Toronto.

We have, over the last number of weeks, been in discussions with members of the federal Liberals who would be representing the GTA and other parts of



Ontario with respect to these projects. We believe they think it is an important project that would probably be in keeping with their jobs approach.

As the Premier has indicated, we're hoping to work cooperatively with the new federal government. We hope this is a project that could go ahead. We will be going with Metro to the federal Liberals very soon to seek their support for this project.

**Mr Perruzza:** How many jobs exactly are involved in this project?

**Hon Ms Lankin:** If we're talking about the trade centre and the construction jobs—the member started off by speaking about the number of unemployed construction workers in his riding, people he's been working with—there would be over 2,000 person-years of construction jobs alone on this project.

The import of the project is much bigger than that. The convention centre and the trade centre combined have the opportunity to attract trade and commerce activities to the Metro area, certainly tourism spinoffs and service sector spinoffs, and act as an attraction to Toronto, which is a gateway to the rest of the province and for tourism. It's an important project. The kind of employment spinoffs and the kind of economic development that would come from that deserve support.

I want to point out, lastly, to the member that the province's commitment to this project is firm. Metro has said its commitment is contingent on federal government participation. We will be going with them—

**The Speaker (Hon David Warner):** Could the minister conclude her response, please.

**Hon Ms Lankin:** —to the new Liberal government. Hopefully we'll be able to conclude negotiations very soon and get these projects under way.

**Mr Robert Chiarelli (Ottawa West):** Mr Speaker, I have a point of privilege arising out of the comments of the Minister of Municipal Affairs in response to the member for Ottawa East. The Minister of Municipal Affairs stated quite clearly that he had received letters from Liberal members of this Legislature supporting Bill 77. That is clearly untrue. I would ask the minister to withdraw that statement.

**The Speaker:** The member does not have a point of privilege and he knows that.

#### EMPLOYMENT EQUITY

**Mr Alvin Curling (Scarborough North):** For a moment I thought I'd lose this opportunity. My question is to the minister responsible for the employment equity legislation, the Minister of Citizenship. Madam Minister, your flawed employment equity bill, Bill 79, I remind you, has been withdrawn because it is incomplete, poorly drafted and lacks consultation and because of a number of other inadequacies which of course you can name to me.

What must I tell the business and advocacy groups which are waiting very patiently for when this bill will be implemented? Because there's a time frame you put forward there. Could you advise me accordingly? Because they're the ones who are going to implement this bill. We'd like to know what time frame you put forward

that I should tell them.

**Hon Elaine Ziemba (Minister of Citizenship and Minister Responsible for Human Rights, Disability Issues, Seniors' Issues and Race Relations):** It's very nice of the member opposite to want to assist me in discussing this particular issue with the employers. We are consulting very extensively. They are very much aware of the time frames and where we are moving with this employment equity legislation.

I must say, we've spent two and a half years consulting; we have worked very hard with the employer groups, with the labour groups and with the designated groups. We want to make sure this bill is the best we can possibly have. If we are to do that, we must make sure that we continue to dialogue. That is what we're doing: We're making sure we talk to each and every group across this province.

**Mr Gregory S. Sorbara (York Centre):** Bob Rae had a bill when he was Leader of the Opposition.

**The Speaker (Hon David Warner):** Order, the member for York Centre.

#### Interjections.

**Hon Ms Ziemba:** It's very nice for the members opposite to keep trying to interrupt my line of thinking and my speech. These members opposite don't even vote on the principle of employment equity: equity and fairness in the workplace.

**Mr Curling:** Talking about voting and principles, I don't know where the NDP got principles: 26 of their clauses were withdrawn. They couldn't even put a bill together. We told them they didn't have it right, that they should go back to the drawing board.

I ask you, Madam Minister, when are you bringing back the bill which you withdrew because it was so poorly drafted, so poorly consulted? I ask you again, and we are supporting you, when are you bringing it back so the business community and the advocacy groups, which feel terribly treated by you, can implement it?

**Hon Ms Ziemba:** This bill is finely crafted. It is not flawed. If we are bringing back any amendments, it is to make sure that this bill works perfectly and that there are not any problems.

The reason this bill was stood down in committee was because the members opposite decided to leave the hearings and did not stay around even to debate. They walked out. They walked out of committee and wouldn't even continue on the clause-by-clause. We are bringing back this bill. It will be law and it will be a good piece of legislation with or without their help.

1500

**The Speaker:** On a point of privilege, the member for St George-St David.

**Mr Tim Murphy (St George-St David):** Mr Speaker, the minister in her answer said the reason she can't proceed is because we withdrew, and that's incorrect.

**The Speaker:** The member does not have a point of privilege, and he knows it.

#### PORNOGRAPHY

**Mrs Margaret Marland (Mississauga South):** My

question is to the Minister of Consumer and Commercial Relations. Minister, I'm taking part in a panel tonight in Burlington to discuss the subject of pornography and all the inaction of your government. One of the guest panelists will be Dorothy Christian, the chair of the Ontario Film Review Board.

I would like to know from you today what kind of message I can give the viewing audience and the audience who are there in person tonight, who are concerned about your inaction with the Theatres Act amendments for which we've been asking you now for the past two years.

Also, do you have any concern at all about the fact that a group like the umbrella coalition addressing pornography, a grass-roots movement that's sweeping across this province, is only one of many that are trying to get a message through that they do not accept what the Ontario Film Review Board is doing in permitting material to be distributed around this province which is totally unacceptable for the community standards that the majority of people in this province today believe and want to cherish?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** I'd be happy to give the member some advice. I would recommend that one of the things she should say is to tell people that they might lobby the new federal government to look at the Criminal Code to make sure that violence, particularly graphic, gratuitous violence, is included as obscene in the Criminal Code.

To her second question, I would say to her again with all due respect that I don't think anybody in this House or anybody from any of the concerned groups out there on either side wants me or any member of this government to be making the final decision on what they can see and what they cannot see. They wouldn't want you to be making that decision if you were in government, or a Liberal to be making that decision.

It is a very complex area. That's why we have a film review board: to try to classify these films, to get as much information out there as they can. We are looking at display and access, because I think that is an area where we can make some changes with the municipalities to make sure—

*Interjections.*

**The Speaker (Hon David Warner):** Order. Has the minister finished? The time for oral questions has expired.

**Mr Gregory S. Sorbara (York Centre):** On a point of order, Mr Speaker: I wonder if I might get unanimous consent of the members of the House to dissolve Parliament and have the people of Ontario have an opportunity to directly evaluate the performance of the Rae government through a general election instead of indirectly evaluating, as they did last night.

**The Speaker:** The question is in order. Do we have unanimous consent?

*Interjections.*

**The Speaker:** I heard at least one negative voice.

## INTRODUCTION OF BILLS

LAMBTON COUNTY BOARD OF EDUCATION  
AND TEACHERS DISPUTE SETTLEMENT ACT, 1993  
LOI DE 1993 SUR LE RÈGLEMENT DU CONFLIT  
ENTRE LE CONSEIL DE L'ÉDUCATION APPELÉ  
THE LAMBTON COUNTY BOARD OF EDUCATION  
ET SES ENSEIGNANTS

On motion by Mr Charlton, on behalf of Mr Cooke, the following bill was introduced for first reading:

Bill 109, An Act to settle The Lambton County Board of Education and Teachers Dispute / Projet de loi 109, Loi visant à régler le conflit entre le conseil de l'éducation appelé The Lambton County Board of Education et ses enseignants.

EMPLOYER HEALTH TAX AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT LA LOI  
SUR L'IMPÔT PRÉLEVÉ SUR LES EMPLOYEURS  
RELATIF AUX SERVICES DE SANTÉ

On motion by Mr Laughren, the following bill was introduced for first reading:

Bill 110, An Act to amend the Employer Health Tax Act and the Workers' Compensation Act / Projet de loi 110, Loi modifiant la Loi sur l'impôt prélevé sur les employeurs relatif aux services de santé et la Loi sur les accidents du travail.

**Hon Floyd Laughren (Minister of Finance):** The government is introducing a new bill today to extend the employer health tax to self-employed individuals in Ontario. This bill will replace Bill 27, which I introduced in the Legislature on June 1 of this year.

Bill 27 required Ontario residents to pay the employer health tax on their world self-employment income. After consultation with self-employed stakeholders, the government has agreed to apply the tax only to the proportion of an individual's self-employment income allocated to Ontario for personal income tax purposes.

This bill will require self-employed people with a yearly income of more than \$40,000, some of which must be earned in Ontario, to contribute to the cost of providing health care in our province. The bill will also provide these taxpayers with a 22% deduction on their health tax otherwise payable.

This bill also amends the Workers' Compensation Act. It will allow the Workers' Compensation Board to exchange information with the Ministry of Finance and other governments, ministries, boards and agencies, thereby improving government efficiency in reducing costs.

**The Speaker (Hon David Warner):** Pursuant to standing order 34(a), the member for Bruce has given notice of his dissatisfaction with the answer to his question given by the Premier concerning welfare fraud. This matter will be debated today at 6 pm.

1510

## ORDERS OF THE DAY

**Hon Brian A. Charlton (Government House Leader):** We would like to call the Lambton County Board of Education and Teachers Dispute Settlement Act, 1993. Mr Speaker, Mr Cooke will be moving second reading, but before we do that, I believe I have agreement



with the opposition House leaders and I seek unanimous consent to deal with both second and third readings of this bill this afternoon.

**The Speaker (Hon David Warner):** Are we agreed? Agreed. Just to clarify, it's the intention of the House to deal with first, second and third reading today. We're waiting for the Minister of Education and Training to lead off the debate.

LAMBTON COUNTY BOARD OF EDUCATION  
AND TEACHERS DISPUTE SETTLEMENT ACT, 1993

LOI DE 1993 SUR LE RÈGLEMENT DU CONFLIT  
ENTRE LE CONSEIL DE L'ÉDUCATION APPELÉ  
THE LAMBTON COUNTY BOARD OF EDUCATION  
ET SES ENSEIGNANTS

Mr Cooke moved second reading of the following bill:

Bill 109, An Act to settle The Lambton County Board of Education and Teachers Dispute / Loi visant à régler le conflit entre le conseil de l'éducation appelé The Lambton County Board of Education et ses enseignants.

**Hon David S. Cooke (Minister of Education and Training):** I appreciate the cooperation of all members of the Legislature to be able to move forward with this legislation today. I'm going to be very brief because the essential comments I wanted to make were in the ministerial statement today, and I'll repeat a couple of those.

As I indicated in the statement earlier today, this dispute, which is for a collective agreement that took effect last September, September 1992, has been under discussion and negotiation now for 22 months. Every effort, in my view, has been made by the Education Relations Commission to try to find a settlement with the teachers and the board of this particular dispute. It became very clear last week, after the public meeting held in Lambton county on Thursday night and after the negotiations that preceded that public meeting, which went on for about 22 hours, I believe, that there would not be a final solution to all of the outstanding issues before the parties in Lambton county.

The Education Relations Commission at that point had to make a judgement, and in its judgement—and the members will have seen this in the report that has been made public—it came to the conclusion, a conclusion we agree with, that while jeopardy for the school year may not be the fact today, that as there was no settlement in sight for the strike and labour dispute, jeopardy was going to occur in the very near future.

Under the legislation that sets up negotiations between boards and teachers in this province which was dealt with and passed in the 1970s, it has been made very clear and supported by everybody in this province that ultimately, in a service like education, labour disputes must come to a conclusion, and if students are missing classes as a result of a dispute between a board and teachers, the government and the Minister of Education, ultimately through the Education Relations Commission, have the responsibility, number one, to the students in the school system.

There's obviously a very difficult balance that must be struck between the rights of teachers and boards to free collective bargaining and, on the other hand, the right of students to education.

It is our belief, and I think it is shared generally in this place, that by and large, Bill 100, the legislation that sets out the process for negotiations, has worked extremely well in this province. The fact is, more than 95% of the negotiations, I believe it is, are settled at the bargaining table without strikes. In the cases where there have been strikes or lockouts in this province, all but six of them have been settled at the negotiating table without having to bring in legislation, so this is the exception to the rule. And the fact of the matter is that we are all confronted with this difficulty when we're in government.

I think it would be unhelpful and would be inaccurate to state that Bill 100 is a complete failure, because this being the seventh case since 1975 or 1976, when Bill 100 came in, that governments have had to act, this is hardly an indication that the process and the legislation are a failure. By and large, the vast majority of cases are settled.

It's always politically expedient for some to say that because there's a strike and because that makes it politically difficult for whatever government's in power during the day, we should therefore review Bill 100 and eliminate the right to strike. That call has been made a couple of times in this Legislature, but I fundamentally disagree with that approach.

The fact is that relations between teachers and boards will be healthier, will be stronger and therefore improve and maintain quality education in our classrooms when teachers and boards negotiate in a mature way at the bargaining table and find solutions at the bargaining table. To go back to some old day where teachers did not have the right to strike, in my view, would be ultimately harmful to the students in the classroom, because that would have a very negative impact on relations between boards and teachers right across the province.

In this particular case, I think the solution that is being suggested in this legislation is innovative. What it does is send a clear message to the teachers and the board in Lambton and, I would argue, teachers and boards right across this province that if disputes are not settled at the local level, don't look to this government to find solutions for them.

The fact is that if we're going to have long-term solutions with collective bargaining in this province at the teachers' level, teachers and boards, the only way to have long-term solutions is for the parties to work it out at the local level. We as a government will accept our responsibility to act in the best interests of the students. That's our responsibility; that's my responsibility as Minister of Education to recommend to cabinet and my caucus and to the Legislature. But we will and we continue to expect boards and teachers to work out the solutions at the local level.

This legislation protects the students, gets classes resumed tomorrow and at the same time sends the dispute back to the Lambton board of education and the OSSTF for Lambton county and gives them several more opportunities to find those solutions at the local level. As I've said, there's only one issue in dispute, and it is my belief that if the parties put their minds to it over the next number of days, they will be able to find a solution and

resolve this at the local level.

We have several stages in this. I've indicated in the House today what those stages are. We have an opportunity for negotiations. If that doesn't work, the final offer will be put to the teachers in a supervised vote. If the teachers accept the collective agreement, then we have a negotiated settlement. If they don't accept the settlement through the vote, then there's another opportunity to negotiate at the local level.

I believe this dispute can be solved at the local level. I also think, and I hope we have the support of other members of the Legislature, that, given the very difficult circumstances in a number of areas of the province, we need to send a clear message to boards and teachers today that they have got to find solutions.

There are other negotiations that are taking place in this province. I think this legislation sends a clear message to all those other negotiations: Find the solution at the local level. It's in the best interests of good labour relations in our education sector. It's also in the best interests obviously of the students.

There's one other area that I do want to touch on. The critic for the official opposition referred to it this afternoon. I would just ask him, if he's going to run through his comments on the Knott report again, to remember that in that report there is not a recommendation for a fundamental change in Bill 100. There is a recommendation for streamlining some of the processes.

There were discussions on the Knott report at the social contract table. There were commitments that were given by the government in terms of a response this year to the Knott report, and we intend to do that. But I wouldn't want anyone, based on his response to my statement in the House today, to believe that the Knott report is recommending something fundamental that would necessarily have avoided this situation in Lambton.

1520

There will still be cases in this province where it is difficult for the local parties to find a solution. The role and responsibility, I believe, of the government of the day and the Legislature is to do whatever is necessary to turn the dispute back to the local teachers and the boards to find a solution, but at the same time protect the students and make sure that their school year is not put at risk.

Those, by way of brief remarks, are the comments on behalf of the government. I appreciate the cooperation of all parties in being able to move this bill through the House quickly today.

**The Deputy Speaker (Mr Gilles E. Morin):** Questions or comments? The member for St Catharines.

**Mr James J. Bradley (St Catharines):** I appreciate the opportunity to speak for at least two minutes on this, to comment on the speech of the Minister of Education.

I have sat in this House for over 16 years and I never thought I would see the day when an NDP government would bring in strike-breaking legislation. I didn't always agree with every policy the NDP had but I always thought they stood for collective bargaining, and when someone withdrew his or her services, they felt that should be settled at the bargaining table.

Here we have an NDP government today bringing in legislation which will in fact break a strike of unionized people in this province. Certainly I suppose the longer one serves in a legislative body, the more one sees. I'll be interested to watch how many members of the government side stand up to vote for this strike-breaking legislation this afternoon.

I also want to say that it's interesting that the government has strongly advocated over the years the right to strike, and then when someone exercises that right to strike, the government decides that it's going to abrogate that particular right.

I would certainly like to know what Margaret Wilson thinks of this, for instance, and Gill Sandeman and Liz Barkley and Menno Vorster and Larry French and Malcolm Buchanan and Rod Albert and Jim Head, people who over the years have spent their time fighting on behalf of the New Democratic Party in the belief that the New Democratic Party stood for the free collective bargaining process.

I now know, when I read my local magazine from the St Catharines and District Labour Council, why the cover shows NDP collective bargaining up in flames. I wondered why that was, and then I realized it was the social contract. Now I see that the government, which has always been the advocate of working people and unionized people in this province, is today bringing in legislation which will in fact break the strike in Lambton, and I just find that interesting.

**Mr Chris Stockwell (Etobicoke West):** In commenting on the statement by the minister, I have noticed since September 1990 the crow population seriously depleted in Metropolitan Toronto. I've been trying to figure out why I don't see as many crows today as I saw in the 1980s. It's been perplexing to me until I came in today and I thought: "I know where all the crows are going. They had to eat them all." I was just curious to see if any of the animal rights groups would show any concern that maybe the NDP is doing away with the crow population in Ontario and forcing them to extinction.

Having said that, I'm with the member for St Catharines. I've not sat in this House as long. I sat in the lower level of government for a number of years and I listened to a lot of members of the New Democratic Party at municipal council when we had strikes. We had strikes at municipal council, we had garbage strikes, and I recall vividly the member for Etobicoke-Lakeshore was a member of Etobicoke council when we had the garbage strike. You could never order them back regardless. It was so important to allow them the right to strike, and I was just very surprised.

I'm sure Steven Langdon and Howard McCurdy and all the other members who've probably not chowed down on a good crow sandwich lately would be equally as interested in hearing the response from the Minister of Education as he gets his fellow mates to stand all abreast for three, maybe four times and order teachers back to work. You never thought you'd see the day. One good thing about having this government in for the last three years, it has certainly allowed us on this side of the House to have a little warm chuckle now and again at



exactly where they stood on some of these issues.

**Mr Murray J. Elston (Bruce):** I obviously haven't read the bill as well as the minister has, although I do know that the bill will stop the striking activity; it basically will require the two parties to go back and work on these items again. It's a bit of a surprise to me, though, that the honourable member for Windsor-Riverside wouldn't have let us in on some of the discussions that have taken place between himself and the parties to this strike.

I know that in the course of deliberations around a situation like this there would have been some suggestions made by people who work directly for the Minister of Education about some of the avenues by which perhaps a solution could be reached. I think it is really for us to know in this Legislative Assembly, before we go through the entire afternoon's deliberations, what suggestions the Minister of Education has made to the board of education in Lambton county, what suggestions he has made to the OSSTF Lambton local. He should bring those here to this forum so that we can at least understand that there is a realistic prospect of the two parties being sent by this legislation back to the table so that they can come up with a solution.

It is not a very satisfactory result if we merely pass this legislation, opening the schools, putting the teachers back in the classrooms, putting the board members back around the table, if there are not some reasonable suggestions being followed up on from the minister's staff and from the ministry personnel. I think it would help us all if it could be shared in this room with all of us what avenues the ministry and the minister think would lead these two groups to come to an amicable and sound solution for the education system in Lambton.

**The Deputy Speaker:** Any further questions or comments? If not, Minister, you have two minutes to reply.

**Hon Mr Cooke:** Just a couple of points. One, I really believe, when you're taking a look specifically at this type of situation, nobody ever expected that you would have strikes in the education field and that the government would never act, that the best interests of the students would never be protected.

No one ever argued that rights to strike or lock out would be completely uncontrolled, no mitigating factors in terms of government having to look out for the best interests of the students, and nobody has ever advocated that. In fact it's built right into the legislation, and we supported that right back when the bill came in in 1976. So that is a reality.

I understand the member from Etobicoke and his confusion over the difference between a strike in the municipal sector and garbage collectors versus education, but I would argue that's a reasonably offensive comparison. It's certainly pretty clear that a strike of teachers, a labour dispute that has involved thousands of students and their need to get back into the classroom—I really don't believe there's any comparison, but I think that might be his municipal background and his lack of knowledge in this area.

Finally, I should indicate to the member for Bruce that the role I have played is to keep in touch regularly with the Education Relations Commission. The legislation that was introduced today is entirely based, and appropriately so, on the ERC's report. I believe we have every reason to be confident in the role that the ERC has played in this case and the recommendations it has made.

**The Deputy Speaker:** Further debate?

**Mr Charles Beer (York North):** I rise to participate in this debate. I want to say at the outset to the minister that we will be supporting this piece of legislation. I have some comments that I want to make on it and also some comments with respect to the state of collective bargaining in the educational sector. But I think everyone would agree that the most important thing to do right now is to ensure that the students in Lambton county and Sarnia are able to get back to education and to find some other way in which the teachers and the board can resolve the outstanding differences that have meant we've had some 30 days where the young people in that board have not been able to receive any education.

1530

Now, I want to say to the minister that since Bill 100 came in in 1975, I think we all recognize that when we look at the statistical data around the number of strikes, it has served, on balance, well, whether under the Conservative government of the day that brought in the legislation, under the Liberals after 1975, or since 1990. But there are a series of, I think, none the less troubling elements of that.

I want to say to the minister, and I'm going to come back to this in terms of the Knott report, that when we talk about the need to review Bill 100, it is not to withdraw that fundamental right, the right to strike, which school trustees, school boards and teachers have all agreed is important and part of the democratic process, but that we really do need to be looking at how to bring a piece of legislation that was brought in in 1975, I think, up to date.

But before we do that, I would like to just raise some questions with respect to the legislation. I think it is relatively brief and clear. As I understand it, what the minister is seeking to do is first and foremost to ensure that the teachers are back in the classroom tomorrow, and then there are a series of steps or stages in which the parties to the dispute are going to be able to sit down and hopefully bring about some resolution to this strike.

Now, the member for Bruce raised the question around just what exactly would be the nature of the settlement. If memory serves, in some of the situations that we dealt with as a government, I think the last one, in a similar piece of legislation, the Minister of Education of the day, the member from Renfrew, did spell out what would happen if in fact the parties were not able to resolve the issue. I think it would have been our preference to see that in this legislation.

I appreciate the remarks of the minister that what he is trying to do is both to ensure that the trustees and the teachers develop a better framework around conflict resolution and also that within this particular board area

of Lambton, where relations between the board and the teachers—those relations have not been good historically, at least over the course of time that Bill 100 has been in place. None the less, I think it just isn't clear to parents in that area, to teachers, to trustees, what specifically the minister would be contemplating in terms of specifics. That might well be something that, were it in the legislation, would assist the parties in really trying to come to an agreement, if they had a much better sense of what it was that the minister was going to do.

The way the clause reads at the moment, it simply says, if I can get the right section, that the minister may direct resolution of a dispute under subsection 6(1): "If a majority of the teachers who vote under section 5 do not accept the offer and, by December 6, 1993, the parties have not entered into a collective agreement or agreed in writing on a method for resolving the dispute, the Minister of Education and Training may, by order, direct that the dispute be resolved in accordance with a method specified by the minister." But at no place in the bill is that method spelled out, and I think there are some legitimate concerns that could be expressed by all parties to the collective bargaining process, and indeed by parents, by ratepayers and by the students in the system with respect to exactly how that should be done.

As the minister has said, what he hopes is that between now and December 6 there will be a resolution that the two parties will make. But in effect what we have here, even if it is only the seventh time we've had to have legislation, is that we have to recognize that this is not a happy day, that there has been a breakdown, that we have failed, that the adults have failed the young people in the school system because we haven't been able to come up with an agreement, for whatever reason.

I think we have to then ask ourselves the question: Once this goes through and we have resolved that particular situation, what do we do in terms of others and what kinds of things ought we to be looking at to make the system work better?

Over the course of the last month, I would say, we have had, and I suspect the government has and our colleagues in the Progressive Conservative Party, a number of representatives from different teachers' organizations in different parts of the province who have been in expressing real concern about the implementation of the social contract, the expenditure controls which the government has imposed, and how all of that is having an impact on free collective bargaining. I know that a number of the teachers' organizations have said they want to sit down with the minister to review how a number of existing or potential disputes are going to be resolved within the way in which the social contract in particular is being put in place.

I think one of the things that the minister, in recognizing the need for some kind of analysis review and some potential changes to Bill 100, which is the bill that deals with collective bargaining in the educational sector—when you look at reports such as the report that the Ontario Public School Boards' Association produced earlier this year and you look at responses that were put in by the different teaching federations, again earlier this

year, to the Knott committee, there are a number of things around the way in which collective bargaining functions where there is some agreement among the various players that I think would both speed up the process and improve it.

I would want to say to the minister that I think one needs to make a distinction between suggesting that perhaps this is a good time for us collectively to review the operation of Bill 100—that just because we do that does not mean that what we are proposing is that there should not exist a right to strike for teachers.

I think one of the things that struck the Conservative government of the day when it brought in the legislation, and if you talk in particular to trustees who were in school boards in the late 1960s and early 1970s, before Bill 100 came in, was that even if you didn't have a right to strike, there were many ways in which, if there were bad labour relations between trustees, between school boards and the teachers, there were many things that could go on within a school system that would really cause tremendous problems in terms of the smooth functioning of that system and the education that young people were getting. So what Bill 100 was predicated on was saying that there are these mutual rights on the part of boards and on the part of teachers, with a framework that was geared to trying to get at the facts and to bring about a solution. That was the focus, and I think if you go back and look at the debates in the House in the mid-1970s, you'll see that's there. What I think was always troubling to everyone then, and has been troubling through the course of—what are we now?—some 17 years, 18 years almost, that we've been functioning under this particular bill, is how we balance on the one hand that free collective bargaining process where the trustees represent the management side and the federations the teachers when there is a third party, which is the students. Where do we find the balance between those rights?

The answer was, in 1975—and I think still a creative one—that we have an Education Relations Commission which will have within it people with experience in terms of labour relations in the educational sector and also a capacity and an ability to determine when a student's education is in jeopardy. I think that particular issue, especially over the last five, six, seven, eight years—I can recall when we were the government—with the development of the semestered schools, has really raised a lot of questions. I know the minister has commented that the ERC looks at that factor, and I accept that they're aware of that, but I don't think we have clear rules and approaches around the semestered system, because when you're looking at 30 days, as we are in the case of this strike, in a semestered school, we're not just talking about having missed 30; we're really talking about them having missed almost 60.

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There are other strikes and other situations, but I think we just need to recognize that situations do change, and therefore the need for a review. I guess this is one of the places too where, having had a bit of experience in government but now a longer experience in opposition, it seems to me this is a perfect area for asking one of the



committees of the Legislature to look at, in this case, the Knott report, to look at the teachers' recommendations, to look at the trustees' recommendations and to look at other documents such as those of my colleague from Ottawa, who brought forward a private member's bill with respect to the rights of students. I think we just need to sit down and say, "Look, how can we make this function better?"

I don't think there's any problem and indeed I don't think we should run away from people who may want to propose radical change to the system. I know I am comfortable, and I think our party is, with the framework that is set out and exists in Bill 100, but just to use one example, both teachers and trustees have said that the fact-finding function is one that can cause a lot of difficulty because it can really slow down our ability to bring about a solution.

For people who may be interested in what is in this, the Knott report was a document that was put together. It began in August 1992. It was an internal document. It was to be a study of labour relations in the elementary and secondary education sector of Ontario. Last February there was an interim report, and then that report was responded to by the major stakeholders, as we call them, in education: the Ontario Teachers' Federation, the secondary school teachers' federation, the separate school trustees' association, the public school boards' association, the English Catholic teachers' association and so on.

When you read that report, as the minister says, it does not call for a fundamental change, but it does say, "Look, there are a number of key issues here where there is some consensus or agreement, if not in specifics at least in direction, and we should be looking very carefully at that to see if we can then bring this up to date."

Again, remember that this piece of legislation is some 18 years old. There was a report done in June 1980 called *The Report of a Commission to Review the Collective Negotiation Process Between Teachers and School Boards*, some 100 foolscap pages. It was done after a fairly extensive consultation period. Out of that there were a few changes made, but nothing in any sort of major way of really looking at how well that piece of legislation is functioning. So I say to the minister and to the government that I think over the course of the next couple of years might well be a good period of time to look at this, for a number of reasons.

One, the social contract impact is real, and inevitably, I'm sure, the minister is going to be sitting down with representatives from the Ontario Teachers' Federation where they have some very specific concerns around the impact of the social contract and the functioning of the collective bargaining process as it exists. We also know that we need to have some kind of exit strategy from the social contract for April 1, 1996. What kinds of agreements can we have among boards, teachers and the government of the day so that we don't just simply get back into the kind of situation we had earlier in terms of the expenditures we're making in the educational sector?

I think this is a point where we could very usefully sit down, representatives from all the different groups that

are involved, and try to determine what is going to be the best and the most effective way to go.

Again going back to the Knott report, at the conclusion of that review and in the report it was noted by Mr Knott, who was a senior adviser, broader public sector, labour relations secretariat, that obviously, as of March 29, 1993, when that was presented, with the expenditure controls and with the social contract we were in some very difficult times in terms of just how the collective bargaining process was going to function in the educational sector. That being said, there were a number of recommendations made, some 10 in all. I would like to refer to them and put them on the record.

The summary of recommendations: The first one was, "That the School Boards and Teachers Collective Negotiations Act be amended to provide the following: (a) expedited arbitration and mediation-arbitration of grievances; (b) increase powers of rights arbitrators; (c) deem just cause to govern dismissal and discipline; (d) impose duty of fair representation; (e) discontinue boards of reference...; (f) prohibit unfair labour practices; (g) serve notice to negotiate in March not January; (h) make fact-finding optional; (i) permit school boards to lock out in same way teachers strike; (j) increase powers of Education Relations Commission."

Obviously, some of that is the jargon of the trade. When you go into the report, these recommendations are not fundamentally changing the act, but they are making some proposals where I think it would be very useful to have a much broader public discussion.

The report also says, in its second recommendation, "That the negotiation of collective agreements continue to be the responsibility of the school board and its teachers." Now, one of the arguments has been, and it's discussed openly, whether the province should be negotiating on a province-wide basis or whether we should continue to have individual school boards negotiating with their teachers. It's been our view that there is a benefit in having those negotiations take place at the school board level, in terms of local accountability, but there are arguments, around the basic financial settlement made, that the province should be doing that. That's something we should look at, and not be afraid to look at, publicly.

There is a series of other recommendations. Number 5 is, "That the definition of 'strike' be retained." But there is also a proposal that the whole definition of "work to rule" needs greater agreement among teachers and school boards, and that is proposed, then it goes on to talk about the role of the Education Relations Commission and how it can function more effectively.

There are 10 recommendations and, as I mentioned, all of the major educational organizations had provided commentary to Mr Knott, setting out what they thought could be done to make that whole process function better.

I want to say to the minister that we would join with him and with other colleagues in the Legislature in looking at a way one of our standing committees could look at specific proposals that the government would make for change to Bill 100, change that I think would find a consensus of support within the broad educational sector. If we don't look at it and if we continue to put it

off, the real concern I would have is that if we have too many Lambtons or if East Parry Sound becomes even more exacerbated than it currently is, if there are strikes in other parts of the province, the public mood today is such that it could direct us in ways that aren't going to be useful or helpful in dealing with disputes in the education sector. We have a responsibility not to run away from those issues but to say that they're real.

If you have talked, as I have—I know other members have; certainly the member for Sarnia has, because he and I have chatted about this as well—to parents, after probably about a week if not before, what is so frustrating for parents is trying to determine: "How is this impacting upon my son or daughter? Are there not other ways or a better process within Bill 100 that will expedite the discussion of the issues and getting them resolved?"

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One of the things the minister referred to in his statement and also in his comments was just how long this particular dispute has been going on. It's well over a year. If we go and look at the private sector and the relationships with unions, by and large, going to some of the big areas, whether it's in terms of automobiles or petrochemicals or other areas like that, they have worked very hard at trying to develop a process that's going to be much more responsive, gets the major issues on to the table and has them resolved. In some cases it does lead to a strike but, again, if you look over the last few years I think there's been a recognition that we have to find a way to not get into strikes but to resolve them.

Those are things we should be looking at as well in the public sector. If we're talking about the educational or the health sector, those areas where we have large numbers of employees but where there is a public that's involved as a kind of third party, whether students or the public generally, we need to be very much aware of the balancing of rights. I think we can have a free collective bargaining process but with a much more effective system we could put in place than the one we have.

I don't think that has to be done, nor should it be done, nor would I agree that it be done, in the context of, should teachers have the right to strike or not? I think they should. That's part of a democratic process and system. When you have that right it is then incumbent upon the teachers, as it is on trustees, to say, "Can we make this system work better?" I think we can. There are some proposals out there, and I would urge the minister to look at them and to really initiate a discussion that could lead to those improvements through legislative change. I think you would find a positive response from members on all sides of the House.

In closing my comments on this particular piece of legislation, I simply want to reiterate that my party will be supporting the bill. We hope, with the minister, that in the discussions that will follow the passage of the bill the trustees and the teachers will be able to resolve their differences so that we in this Legislature will not have to impose a settlement. Clearly, we are at a point where, in the interests of the young people in that school system, something has to be done and we have to move to ensure that their education is not jeopardized.

Let's not lose this opportunity to recognize some of the broader issues that have come forward. Let's focus on how we can resolve them and how we can make the system work better. To say this is only the seventh time we've had to come forward with legislation is fine in one sense, but I think even having to do it seven times says that we can still do better and that there are ways this can function more effectively.

**Mr Elston:** Interestingly enough, a couple of the comments by the member have raised around education what is really in the back of the minds of a whole group of people: the whole issue of jeopardy. The question that resides in everybody's mind is, "When does somebody determine that my child is going to be negatively affected by this whole series of events, as regrettable as they may very well be?" The thought that someone who is supposed to be starting school in September can wait until November 1 to get into school and not be disadvantaged in their school development somehow doesn't logically settle with parents.

As a parent of school-age children, it somehow doesn't feel right to me, and I've been fortunate to have been able to avoid any of these circumstances around my own children. But how is it that we have a school year that goes from September till December with a break and then from January through till the first part of June and we can say to one group of people in a semester system, "You don't have to start until November 1 and no problems will occur"? It just doesn't fit right.

In fact, there are going to be problems for some of those children who are in that system. Actually, some of them may be irreversible; some of those people may not go back to school. It bothers me somehow that this whole problem of determining when someone is going to be disadvantaged has to wait for some imagined average student while we dismiss the fates of some people who will never go back because they may, fortunately enough, have gotten a part-time job or may have ended up not being able to wait to go back.

**Hon Mr Cooke:** What are you suggesting?

**Mr Elston:** I don't know what I'm suggesting; all I am suggesting to you is that we can't explain this to parents, we can't explain it to the taxpayers and somehow we're going to have to do that.

**The Deputy Speaker:** Any further questions or comments?

**Mr Bob Huget (Sarnia):** I'd like to thank the member for York North for his comments. I'm sure he's aware, as are others in this House, how distressing this has been to my riding and certainly how frustrated and angry both parents and students are about this latest development in terms of this latest strike. This isn't the first one in Lambton county; it's about the third in a little over a decade. It has gotten significantly more frustrating and disillusioning for parents and students in our area.

I take interest in his comments about the possibilities of boards and teachers working together in a more constructive fashion and I think it may, in part, address the member for Bruce's point not so much about when jeopardy is determined but about how we start a process



and create a culture and environment where boards and teachers can work through their problem areas and resolve their own disputes so that we don't get into the position in the first place of having to determine whether or not students are in jeopardy. The message from parents and students in my area is that they would very much like to see this board and its teachers find a way to work through their own issues, find a way to resolve their own differences and find a way to ensure we don't get back into this situation again.

I think the important point of this legislation, as it's proposed, is that it calls for the board and the teachers to develop a plan by May 1994 to improve their relationship. I think it may create an environment where they can honestly sit down and look at ways they can start to deal with each other on a far more constructive basis.

I know many of the people in industry, unionized or otherwise, have had to go through that process, and I think it's a process we're going to have to go through in the public sector as well.

**Mr Beer:** Thank you to the two members who have spoken, really about the similar elements of the dilemma we have.

First to my colleague the member for Bruce, I think that question of jeopardy is one in the current system where we have difficulty, and nobody has a nice, neat, simple answer, but sometimes I think that when we don't have that nice, neat, simple answer, it's no longer good enough to just say, "Well, we'll continue to leave that to the Education Relations Commission." I think there are times when we need to say, in a more public way, "Okay, given the kind of educational system that we have today, the demands that are there, the changes that have occurred, are the approaches we've taken in the past still going to work effectively?" No matter how you slice it, as someone who is a former teacher I would say that if a pupil has lost 30 days of schooling in a semestered system, or indeed 30 days in a regular school system, I'm just not comfortable that the education of that young person not only is in jeopardy after those 30 days but has been in jeopardy for even a lesser time.

I accept that when we were government, and the Conservatives, we wrestled with that and different things happened. I don't say that as something to say, "Look, you and only you are at fault because here we are at the 30th day," but we haven't really sat down and talked about how we can better define what we mean by jeopardy, and I think we have to do it.

Finally, in response to the comment from our colleague in Sarnia, looking at how other areas, particularly the private sector, have tried to develop better mechanisms to work through major issues and disputes without getting into a strike situation is something we need to do. There's a lot the public sector can learn, in terms of bargaining, from the private sector.

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**The Deputy Speaker:** Any further debate?

**Mrs Elizabeth Witmer (Waterloo North):** Our party will be supporting the legislation, An Act to settle The Lambton County Board of Education and Teachers

Dispute, which the government has introduced today. Our only disappointment is that the minister did not act more quickly to get the students back to school. Personally, I'm very concerned and I know the parents and the community have been extremely concerned, because our Conservative critic from London North has received many phone calls.

Certainly the question of jeopardy does have to be resolved; 30 days is a very, very long time, particularly when you get into a semestered school where the students are involved in some very concentrated study and are only there for half a year.

Our Conservative critic from London North has been continually urging the minister to show some decisive leadership ever since October 5. On that day and on subsequent days, such as October 12, October 14, October 20 and October 21, she has been encouraging the minister to consider the rights of the almost 7,000 students in Lambton county to an education. It's unfortunate that it has taken 30 days for this minister to bring forward this legislation today.

We also have some real concerns about this legislation. If you take a look at the social contract and at the fiscal restraints that have been imposed by this government upon school boards and upon the rest of the public sector, you really have to wonder why the students in Lambton county were forced to even be out of school for 30 days.

As I indicated, these are 30 days that are of critical importance, especially in a semestered school, and now those 30 days must be made up. I sincerely hope the teachers and the board will work cooperatively to develop a joint plan outlining how these lost days can be made up for the students. I can tell you, personally I know it will be a very difficult task. It's hoped, however, that this will be a step to developing a more positive relationship in Lambton county between teachers and the board because, unfortunately, this is not the first time they've found themselves in a strike situation.

I'm also concerned because, going back to the social contract legislation, that document was to deal with all the public servants in a fair and equitable manner, as I indicated before, yet it now appears—the minister has not indicated that it might not happen—that the teachers in Lambton county may indeed get increases through an arbitrated settlement.

I'd like to draw your attention to two key clauses from the social contract legislation. They are subsection 24(5), which says, "If a collective agreement has expired before June 14, 1993," as this one has, "and on that date the employees that were formerly bound by it are without a collective agreement, the compensation of these employees is fixed at the amount they were receiving under the last collective agreement in force before June 14, 1993." What impact does that clause have on this particular situation? My colleague from London North has asked that question and it certainly has been not satisfactorily answered.

The other subsection I want to bring to your attention is subsection 40(1): "No increase in compensation shall be given as a result of any arbitration award or decision made on or after June 14, 1993." Again, will the

Lambton teachers get an increase? Will it be in opposition to dealing with all public servants in a fair and equitable manner? At this point in time, those are questions the minister has not yet answered.

**Hon Mr Cooke:** Why didn't you ask them in question period?

**Mrs Witmer:** Those questions have been asked by my colleague from London North and they have not been satisfactorily answered.

I'm also very concerned about the statement that says, "Minister may direct resolution of dispute," and it indicates, "If a majority of the teachers who vote under section 5 do not accept the offer and, by December 6, 1993, the parties have not entered into a collective agreement or agreed in writing on a method for resolving the dispute, the Minister of Education and Training may, by order, direct that the dispute be resolved in accordance with a method specified by the minister."

What is the minister going to do in December? This creates uncertainty. What is it that he can't do now? He knows the parties have both been in this strike position now for a long time; for 22 months they've been negotiating. If they can't resolve it in 22 months, how does he expect them to resolve the dispute by December 6? What is it that he's going to do? That's a question that needs to be answered as well, and I think it's unfortunate that the minister hasn't indicated what method he will be using. That's an issue that I think needs to be resolved, and I would like to have the minister tell us exactly what it is he plans to do on December 6 that he's not indicated already.

I'd also like to draw your attention to the plan to improve the relationship. It says, "On or before May 2, 1994, the parties shall jointly submit to the Minister of Education and Training and to the Education Relations Commission a plan outlining the steps the parties will take to improve their relationship."

I'm not sure you can legislate good relations. I appreciate the fact that the two parties will be forced to sit down and put a plan together. I only hope it will be successful, because as we've indicated before, the lives and the education of 7,000 students have been put into jeopardy. I hope that particular board and its teachers will focus on what's happened, will focus on the impact this has had on the students and the parents in that particular community, and I hope they will do everything possible to ensure that the relationship between the board and the teachers does improve.

It is certainly our hope that this issue can be resolved at the local level. That's extremely important. If we're going to see a good relationship in the future, it's absolutely essential that the individuals who are going to be impacted by the legislation do everything possible and strive for a compromise that takes into consideration the rights of the students. I wish them luck in that endeavour.

**The Deputy Speaker:** Questions or comments?

**Hon Mr Cooke:** I'd just like to ask one question and make one comment. I understand the argument the member makes about 30 days, as the critic for the Liberal Party stated as well. It's very good politics to make that

kind of statement, that 30 days is too long, but what is the member suggesting? Is 25 days okay? Is 20 days too long? Is the Labour critic for the Conservative Party suggesting that there should be no right to strike? The Liberal Party is clearly on record as saying the right to strike is fundamental. What's the Conservative Party suggesting? Taking away the right they granted them just 16 or 17 years ago?

You can't say that a group of people have the right to strike and then somehow in legislation or regulation say that 20 days is too long and that after that point, then automatically the strike is over. You might as well have no right to strike at all if those are the kinds of rules you're going to be putting into place. That will destroy any ability to get to a mature relationship between management and labour.

It's easy, it's good politics, but maybe the critic should simply say: "I'm just playing politics with this. I'm not really suggesting that these are solutions we'd like to make."

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I'd like to point out one other fundamental fault in what the critic is saying, and the critic for the official opposition as well. The semestered system is something that concerned me very much when we first looked at the Lambton situation, but I did look back on the history of disputes in this province. Four out of six of the disputes that have been resolved by legislation were semestered, the longest one being Sudbury, which was 56 days, so there are some issues to remember.

**Mr Beer:** I want to comment on my colleague from Waterloo's statement but also in the context of what the minister has said, because in raising the issue around 30 days or looking at the 56 or other time frames we've had, the problem for any government, of whatever political stripe, is, how do you define and what sort of criteria are you using in order to say, "This is too long?"

Obviously, if the legislation said 19 days or 23 days, that's not necessarily going to be helpful, because there may be instances where it is much less. To the public the concern simply is, what sort of message are we sending? Are we saying it really doesn't matter if you're not in school for 30 days or 56 days or 20 days? We need a more open, public debate around just what really is acceptable. With so many more students in our classrooms today with different kinds of learning disabilities—and we have all made a conscious attempt to try to get more and more young people into the regular school system—what is the impact on those young people and how are we going to handle their education?

Those are things we really do need to discuss, and to say that my colleague from Waterloo raises the issue of 30 days as some kind of easy political statement is ludicrous. This has to be a concern to all of us in terms of how we make those definitions, and I think we have a legitimate role in trying to shape the way in which the Education Relations Commission is going to come to those issues and try to determine what the best thing is to do. I think it is an important point that our colleague from Waterloo has raised.



**The Deputy Speaker:** Any further questions or comments? The member for Waterloo North, you have two minutes to reply.

**Mrs Witmer:** First of all, I would like to respond to the minister regarding the right to strike. It was our party that introduced in 1975 the right to strike, and that right has existed legally in Ontario. We certainly do support that right to strike, and I'd like to go on the record as affirming that right.

I've been involved in negotiations myself and recognize the importance of bringing partners together, but I also recognize the importance of arriving at a settlement, through consultation and compromise, that responds to the needs of the local community, and I trust that those in Lambton county will be able to arrive themselves at that type of resolution of this particular conflict.

Regarding the number 30, I think my colleague in the opposition has made a very good point. I don't think any one of us can determine what is appropriate, whether it's five days, whether it's 10 days or whether it's 15 days. When I take a look at the length of strikes, I see in 1991-92, Elgin 33, Ottawa 23, Carleton 28; in 1990-91, I see Lambton 28, Lambton 10, Peterborough 9, Stormont, Dundas and Glengarry 28.

I think there needs to be a discussion and there needs to be a debate. I think we also need to take into consideration the fact that we're dealing here with a semestered school. For anyone who is familiar with a semestered school and the operation of that school, the students do only take those particular subjects from September to January, so it's much more difficult to make up the time that is lost.

I think it's time for teachers and the wider community to be involved with the politicians and come to some determination as to how we can effectively ensure that the needs of the students in our schools are met and met more effectively and that we do not allow strikes to go to the point of 30 days.

**Mrs Ellen MacKinnon (Lambton):** I believe that all members of this House support this bill. It's very important to the students of Lambton county that the current interruption to their school year come to an end. For 30 days students and their parents have watched from the sideline as the strike involving secondary school teachers and the Lambton County Board of Education has dragged on.

If there was some prospect that a settlement was around the corner, then perhaps this legislation would not be so urgent. But a settlement is not just around the corner. The teachers and the board both say they cannot reach an agreement. The Education Relations Commission has done its best to bring a solution to this situation. The teachers and board are at a stalemate, with no prospect of any solution. Meanwhile, the classrooms of Lambton county remain closed and empty.

Secondary students are at a critical point in their education, particularly the OAC students. They should be in class getting an education, not sitting at home waiting for a resolution that may never come.

The legislation introduced today by the Minister of Education and Training, the Honourable Dave Cooke, will allow those students to be back in the classrooms. It will allow teachers to get back to work. At the same time it will allow parties to try once again to find a local solution to their dispute. To me, this is one of the most important aspects of the legislation that Mr Cooke has brought in today. If they do not succeed within the time specified by the bill, then the government will meet its responsibility to bring an end to this prolonged and difficult set of negotiations.

This legislation will benefit all those affected: students, parents, teachers and education administrators. I look forward to the approval of this bill and immediate return of the students of Lambton county back to their schools tomorrow.

**Mr Dalton McGuinty (Ottawa South):** You may recall, Mr Speaker, that I introduced a private member's bill approximately a year ago, at which time I proposed recognizing formally that students have a right to attend class.

One of the things that becomes apparent at Queen's Park, Mr Speaker, I'm sure you'll agree, is that we are effectively besieged and lobbied by various interest groups. But one of the groups we don't hear from but to whom I would suggest we owe a great obligation are the students in this province. I would suggest that no students are going to be writing us regarding this issue once the matter has been settled.

Notwithstanding that, I think it's important for us to recognize the importance of education. Surely we spout that on a regular basis. But now's the time, I think, as my colleague the critic for the Liberal Party has suggested, for us to use the occasion to stimulate a larger debate where we can properly consider the impact Bill 100 has had since its creation and make a proper determination and assessment as to whether it's really working.

I had an opportunity, in doing some research for my private member's bill, to pull together some of these statistics, in which effort I was greatly assisted by the Education Relations Commission, which has a wealth of knowledge in this matter. The total number of strikes at that point in time—I collected these at the end of 1991—was 56. I gather we're up to about 60 now. At that time, the total number of students who were affected was some 789,000. The total number of days lost was just under 1,400.

The average length of a strike in this province at that time, as I say, calculated late in 1991, was about 24 days. This strike has lasted some 30 days. The longest strike, as the minister made mention earlier today, was 56 days. Incredibly—I find this incredible—to my knowledge, no school year has ever been extended in order to allow students to make up for the lost time.

1620

The Education Relations Commission has declared the students' year to be in jeopardy some nine times, I believe. On average, the commission has made this determination at 40 days, which works out to about two calendar months. So in fact, when people argue that Bill

100 is working effectively, I would argue that in so far as students are concerned, it is not working effectively.

Statistics show that approximately 50,000 students every year in this province are kept from their classes for over one month. Some may argue that, within the context of collective negotiations, those are acceptable losses and I would say that, in 1993, in this province, when each and every one of us recognizes how important education is to our future and to our economic recovery, those are no longer acceptable losses.

I would also point out that the Education Relations Commission can hardly be said to be at fault here in terms of when and how it makes the call. It's simply operating under the rules of the day. Under those rules, we have built within the system now this unfortunate capacity to miss some 30 days of school without having any obligation to make up that lost time. That perhaps is a sorry commentary about what is going on in our classrooms.

People from time to time talk about some of the costs associated with a strike, and I want to speak from a students' perspective so that we gain some kind of an understanding of what it means to them. Apart from the days lost in school, I think it's important to understand that—I've been informed by a number of principals that some students simply do not return to school after a strike. These are, generally speaking, students who are having some difficulties at school and the prolonged absence from school, the enforced absence from school, provides them with the axe to sever really effectively any link they have with the school and they simply don't come back.

Some students, on the other hand, get into trouble. It's been said that an idle mind is the devil's workshop and some of our students take advantage of the opportunity and get out and about and do things that perhaps you wouldn't have them do. I think it's important to recognize as well that, since Bill 100 became law some 18 years ago, there are more and more single-parent families and there are more and more households where both spouses are working, which means that when students are kept from their classes the parents are not at home to care for them, to lend them guidance and to watch over them. In most cases parents obviously make special arrangements to see that their children are cared for, but often that entails additional cost and hardship.

The other costs associated with a strike in so far as students are concerned is the ill will that is generated. I'm not talking about the ill will that's generated in the community itself, or the ill will generated between trustees and teachers, but rather the ill will that cannot help but permeate the classroom, at least to some extent. That's going to have some impact on the quality of education our children are going to receive.

I think the other perspective that students would have on this is that it has been said that children learn what they live. We had an interesting incident in Ottawa at the tail end of our latest round of strikes when a class of grade 8s walked out of the classroom because there was a difficulty, as they saw it, with the busing, busing times.

They decided that the way they would express their

concern was to walk out of the classroom. It was rather telling to see these kids in baseball caps, chewing bubble gum, deciding that, in order to give expression to their rights, they would walk out of a classroom. So I'm not sure that we're giving the best possible example in terms of having a prolonged, agonizing strike. Those are some of the real costs in so far as our children are concerned.

From a student perspective, here are some of what I perceive to be the shortcomings in Bill 100. First of all, there's no limit on the length of time that parties can negotiate. We have had, in many, many cases, negotiations and strikes to settle contracts that had expired several months earlier. Also, it's well known that more bargaining does not necessarily make for better bargaining.

The other problem with Bill 100 is that when negotiations break down, the ERC appoints a fact-finder who may or may not recommend terms of settlement. It seems to me that, from a student perspective, the ERC brings a wealth of experience, as I indicated earlier, to these kinds of issues, and we may be missing an opportunity there in terms of having a recommendation made.

Then at that point, after a recommendation is made, there is still no obligation on the teachers or the board to formally consider that recommendation by way of a vote. Again, from a student perspective, remember the students' interest in this never deviates: it's to be in the classroom. That is often in conflict with the interests of teachers and trustees who may have as their interest to hang tough in order to ensure that they get what it is they're after.

There are no restrictions as to when a strike may occur, and from a student perspective—strikes generally take place in the spring. That's only natural. The hockey players, when they decided to go on strike, went on strike at the playoffs. Strikes conducted during the spring are conducted at a time when students are more sensitive to lost class time.

One of the things that I proposed in my private member's bill was that we appoint a student interests advocate. That would be someone who would formally represent the interests of students during the course of a strike. That advocate's costs would be paid for by the trustees and the teachers involved in the strike.

The advocate's responsibility would be to attend the negotiations and to bring to bear the interest of students, which really never deviates, which is to return to the classroom. That advocate would not be permitted to comment on those negotiations outside the negotiating room to the public. However, the student interests advocate would have an obligation weekly to report to the public as to the impact the strike was having on the students.

Something else that students would probably favour, were they given the chance to be involved in these kinds of things, is some kind of minimum term for a contract. Many terms that are being negotiated right now and in the past have been one year in length. Obviously, if that could be extended, that would minimize the frequency of collective negotiations and the possibility of a strike.



To sum up, I think it's important not to forget that what we're dealing with here is not simply an equation involving the rights of teachers to bargain freely, collectively for their wages and benefits and to exercise the right to strike, and on the other hand the right of our school boards to bargain as well and to lock teachers out. There's another component just as important which has to be brought into the equation, and that is the right of our students to attend their classes.

I hope we will use this opportunity, and the minister specifically will use this opportunity, to consider formally debating this issue perhaps through a standing committee of this House so that we can address these issues and in particular the impact that strikes are having on students and the shortfalls that are found within Bill 100 from a student perspective.

1630

**Mr Beer:** I'd like to commend the remarks that my colleague from Ottawa South has made. I think again it just underlines the need for us to be looking at how we can make a system better that, by and large, has functioned reasonably well and particularly take into account some of the problems we've been experiencing over the last couple of years.

One of the things indeed that's interesting in what we call the Knott report really relates to one of the questions he addressed, and that is putting together the best practices in labour relations in the educational sector. One of the things that teachers, trustees and others said was necessary was to really sit down and look at how other sectors handle certain kinds of problems. The recommendation read: "That a select committee of school board, teacher and non-teacher unionized staff, and Ministry of Education and Training personnel be appointed to develop as soon as possible a guidebook of the best practices in human resource development and labour relations and that the best practices be recommended to the stakeholders."

It's as if sometimes we're afraid to look at the new approaches that have been developed or to look at things that are going on in the private sector. I think what the member for Ottawa South, both in terms of his private member's bill last year and his remarks today, is directing us to is simply that there's something very different in labour relations in this sector around how we make sure that the rights of students are met and their education is not placed in jeopardy. That requires more public discussion at the present time.

**The Deputy Speaker:** Any further questions or comments? If not, the member for Ottawa South, you have two minutes to reply.

**Mr McGuinty:** I thank my friend the critic for his comments. I just want to emphasize one point I made earlier, and that is that under the existing system, as a result of Bill 100, every year in Ontario approximately 50,000 students are kept out of their classes for about one month. I do not feel that those are acceptable losses in 1993 in this province.

I am not prepared to accept that we cannot improve upon the existing system. I think there exists a tremen-

dous amount of goodwill within our teaching body and within our trustees. Remarkable headway has been made in other areas where collective negotiations have been in use and I'm certain that, from a student perspective, we can do a better job.

**The Acting Speaker (Ms Margaret Harrington):** Are there any other members who wish to participate in the debate?

**Mr Ernie L. Eves (Parry Sound):** It's an opportunity for me to speak not only about this particular bill and this particular piece of legislation, but as it relates as well to a strike in East Parry Sound by the elementary teachers in that jurisdiction.

First of all, I'd like to say with respect to the legislation, as you've already heard, that it would appear as if members from all three parties are going to be supporting this legislation introduced in the House this afternoon. I'm a little concerned, though, like my colleague the member for Waterloo North and like the member for York North and others who have spoken, about the process we seem to have to go through with respect to Bill 100 before we get to the ultimate point where we finally realize—some of us would argue we've always realized—that the education system, after all, exists for the education of students. It is their welfare and their education that should be our primary concern in the system.

I understand that teachers have a position in Lambton and that the board has a position; in East Parry Sound the teachers have a position and the board has a position. But surely these disputes should not be resolved at the expense of damaging the education of students in our system, wherever they may be in the province of Ontario. Surely that should be first and foremost in everybody's mind.

My good colleague the Education critic for our party, the member for London North, has been on her feet on several occasions with respect to this particular strike, as indeed have local members on the government side on several occasions, and they should be concerned.

Sometimes we get so caught up in process, and in this case the board and the teachers are so caught up in process, and who's right and who's wrong about particular issues, that we overlook the fundamental point of the system, which is educating our young people.

It's going to be awfully difficult for these young people, who are on a semester system to start with, having lost, as the ERC says in its report today to the minister, 16% of their year—but they've actually lost 32% of this semester—to make up their education for the remainder of the semester and of the school year.

I'd like to point out that I have lived through one of these in West Parry Sound shortly after I was first elected in 1982. That dispute lasted some 51 instructional days, three months, from approximately the beginning of February—I think it was February 8—until April 30. Animosity builds up in the community, and especially in small communities, animosity builds up between teachers and parents, between board members and parents, between ratepayers, students and teachers. I don't think

it serves anybody's purpose to have to go through that type of dispute.

I would also hope the minister would take into account that it seems as if the ERC, the board and the OSSTF, in the case of the Lambton dispute, have all agreed that the students' educational year is deemed to be in jeopardy, and that's why we have this legislation we have before us this afternoon.

I would agree with the comments made by the members for York North and Waterloo North that surely it is time to do some fine-tuning or refinements, if nothing else, to Bill 100. I really think we have to assess the system we have in place. I've looked at the minister's legislation before us today and, as I pointed out very briefly after he made his statement in the House earlier this afternoon, his legislation is perhaps somewhat different than that of some of his predecessors.

On the one hand, I take issue with it in that it does not definitively state in the legislation what dispute resolution mechanism the minister will be using at the end of the day. I have some serious concerns about whether we should be doing this by way of regulation or order in council as opposed to putting it and stating it openly in the legislation. But I do think there are some beneficial aspects to the legislation the way he's drafted it and I would ask him to consider—especially with respect to not only this dispute but other disputes, such as, as I'm sure he's more than aware, and I know he's aware because I've talked to him every day since the dispute started in East Parry Sound on October 6—perhaps using this sort of mechanism to resolve disputes earlier than has been the tradition established by the ERC.

If the parties indeed are going to be given an opportunity to go back to the negotiating table with a mediator, if need be—and I imagine the need would be any time you're going to take this type of action—then I would ask him to seriously consider whether or not he and the government should perhaps be moving earlier than normally has been the traditional case, and if the ERC should be moving a bit earlier.

I hope I am wrong, but I can see a situation developing in East Parry Sound where we may well be back here standing in this Legislature two and a half weeks from now when they amass 27, 28 or 30 days of instruction lost and go through a similar exercise. The two parties in that dispute have not been talking at the bargaining table for several weeks now. I understand mediation has been talked about and that dates have been offered, but the earliest date offered is November 3 or 4, which is next Wednesday or Thursday. So that'll be another seven, eight, nine, 10 days lost in the students' educational year, and we're into the 14th day today.

So now we're going to be into the mid to late 20s in terms of instructional days lost on those students in East Parry Sound before we're anywhere close to resolving this dispute. Unfortunately, the students are going to lose this time, and we'll be back here doing the same thing about the East Parry Sound situation.

1640

Somehow it has to be impressed upon both sides of

that dispute, and of all disputes, that the ERC is serious about students not losing instructional time, that the ministry and the minister are serious about students not losing instructional time and indeed that the Legislature as a whole is very serious about students not losing very valuable instruction time.

Having been through this exercise, as I said, once before, in 1982 for some three months, my personal experience was one of great frustration, as I'm sure the local member's in this case was as well. It seemed to me that although the ERC was well-meaning, it doesn't seem to get around to the business or the issue of getting a dispute, whatever dispute it is, resolved as soon as possible so that the students can get back to the classroom and resume their education. After all, that's what the system is all about.

I understand that the parties have differences of opinion. In the east Parry Sound dispute, for example, the teachers have been working without a contract since August 1992, which is some 14 months. The two parties first started to talk in February 1992, I think it was. That's almost two years ago.

There has to be some modification of the system the way we know it now that will bring about a mechanism to ensure that the parties take the issue seriously, deal with it expeditiously and, most important of all, so that students do not lose valuable time in the classroom and do not lose a substantial chunk of their educational year.

As I said, we will be supporting the legislation that the minister has introduced this afternoon. I wish the minister had indicated in the legislation what dispute resolution mechanism will be implemented, because I think that would help to bring some pressure to bear—if I might put it that way, a not-so-diplomatic term—upon the two sides so the dispute indeed will be resolved as soon as possible; and hopefully by agreement, but if not, I guess there are other ways of resolving disputes for parties who will not take their job of getting down to resolving the differences seriously and in an expeditious manner.

As I said, we will be supporting the legislation, and I would urge the minister to consider what I've said with respect to not only the East Parry Sound dispute but other disputes as well. I understand we have a few problems in Essex South and perhaps other parts of the province as well. I think a message has to be sent to both sides that we are indeed serious at the Ministry of Education and Training, in the Legislature of Ontario and in the Education Relations Commission about students not losing time in the classroom.

**Mr Elston:** There are other issues that come to mind during the discussion of this bill, and they've been touched on in part by the member for Parry Sound. It really is a concern to me that, at a time when so many changes have occurred and are occurring in our education system and in the relationships between boards, the imposition of the social contract I think really led to another series of undermining pressures in the system. For those people who were already involved, as this Lambton board was with its teachers and the teachers with the Lambton board, in trying to come to terms with some problems they experience, the social contract ended



up, in my view, causing them stresses which were largely unable to be overcome.

It seems to me that the strange imposition of the will of the central government, in this case the provincial government, has really led to the firming up of resolve, perhaps on both sides, not to be seen to be losing the advantage, each for their own constituencies.

It is very difficult to be working in the Ontario public sector or quasi-public sector and be the subject matter of the social contract and to appear, as a member of the executive of your union or association, that you haven't been taken to the cleaners in some way by the pressures of the social contract, without then coming to a bargaining table and agreeing to dispense with all the discussions that have caused tension inside your membership over perhaps a year or more, in this case about 22 months.

It's a concern to me as well that the board of education, which is also under stress from the ratepayers in Lambton, as is every board around the province, would be seen to be somehow bending to the will of some other organization if it gave up its ground.

It seems to me that the social contract hardened the resolve of each side not to look like it was being beaten. That being the case, I don't know what other resolution could possibly have come but the particular steps taken by the Minister of Education. I'd like some comments from the member for Parry Sound.

**The Acting Speaker:** Are there any other members who wish to participate in questions and/or comments to the member for Parry Sound? I recognize the member for Ottawa South—sorry, Carleton.

**Mr Norman W. Sterling (Carleton):** Carleton actually includes all of the other ridings, so I guess I can speak for all of them this afternoon.

I'd just like to draw attention to the member for Parry Sound's points with regard to outlining in the bill the actual process for the resolution of this dispute. I remember back to the Carleton Board of Education dispute: I thought that if the government at the time had taken leadership early on to set out a procedure of final-choice arbitration, perhaps all of the hostility which developed between the board and the teachers would have been done away with.

Since Bill 100 has been introduced in this Legislature and passed in this Legislature, there have been quite a number of strikes. Quite frankly, I think the public and the taxpayers have probably come to the conclusion that the teaching profession has done very well by Bill 100. I'm not certain that giving the right to strike to teachers has worked to the advantage of the students, and the member for Parry Sound has repeated that theme throughout his remarks.

I think we have to put the focus back on the students, that this is a system for the students and not the teaching profession and not the trustees; it's for the students. I think we have to consider very seriously the whole dispute resolution mechanism with regard to it taking place across the province in different boards or whether we would be better off doing it for the whole province in an arbitration fashion.

**The Acting Speaker:** Are there any other members who wish to participate in questions and/or comments? If not, the member for Parry Sound has two minutes to respond.

**Mr Eves:** The comments made by the member for Carleton are indeed things the minister should be taking into account. There must be a better way to deal with these disputes while at the same time ensuring the education of our young people.

**The Acting Speaker:** Are there any other members who wish to participate in this debate?

**Mr Huget:** It's a pleasure for me to rise today and participate in this very important debate. First of all, let me say that I welcome the introduction of this legislation. The strike of Lambton county secondary school teachers has created a very difficult situation in my community and for all concerned in my community. I think it should be understood that the strike is now in its 30th day, and it follows a strike of three years ago which lasted 10 days. It has become clear that the parties are not able to reach local agreement.

Secondary students in my community have been unable to attend classes since the strike began on September 14, and many of those are now in danger of losing their year. I think it should be noted as well that the strike has caused a very high level of concern in the Sarnia area. I have to tell you that the frustration being experienced and expressed by parents and students in my riding is at levels the like of which I've never experienced. There's a great deal of uncertainty, a great deal of anxiety in terms of the situation that currently exists in Sarnia-Lambton, and parents and students throughout this process have been telling me very forcefully that this strike must end.

1650

The parties themselves have publicly acknowledged that without the deadlines imposed by this legislation, no settlement is likely. In fact I'd like to quote from the Education Relations Commission report, which says,

"While the OSSTF has historically expressed profound aversion to government intervention in collective bargaining by way of back-to-work legislation, OSSTF took a clear and public position during the inquiry, stating that back-to-work legislation would be appropriate in this situation because of the apparent inability of the parties to conclude their own collective agreement in the near future."

The involvement of the Education Relations Commission with Sarnia-Lambton has been extensive. They've been very actively involved in trying to resolve this dispute in playing a very constructive role throughout the whole process. The commission is now saying that there is no prospect of a settlement and the voice of the commission itself has been added to those of Lambton county residents who call for legislation to reopen classrooms and resume the education of students.

We believe strongly in the rights of workers to collectively bargain. The negotiating process has been given every opportunity to succeed in Lambton county. The Education Relations Commission has done everything it

could to bring a resolution. But it is clear, and both the board and the teachers have said this, that only through legislation will the stalemate be broken.

I want to refer to two letters that were in the local newspaper in the letters to the editor section of the newspaper. They're both from students. The first one reads:

"I, along with 6,700 students in high school, am experiencing what would seem to many teenagers as a dream come true: a teachers' strike. However, most students from Lambton county have learned where our priorities really are. The strike is doing nothing good for us, and teachers' strikes are nothing less than a recurring nightmare.

"For the first few days of such strikes, we can kid ourselves it feels like a miracle. We think, no dreadful homework, no nasty professors reciting to us pointless information, just huge parties until 3 am on week nights and sleeping in until it's time again to go cruising around town with our friends. What more could a teenager want?

"At the time of this writing, it's been three weeks that we've been out of school and the novelty of unrestricted socializing and staying up all night has worn off. No one really cares to call someone else any more because all that can be done has been done at least twice already and we almost prefer to be bored alone. Pathetically enough, daytime television seems more exciting than sitting on the doorstep with a friend who's just as weary and mentally dead as you.

"The strike doesn't seem close to being over yet, so we continue to wait, wait and wait. Instead of doing absolutely nothing, some students have resorted to putting pressure on the teachers' union as well as on the Lambton County Board of Education. Nearly 300 high schoolers have gathered twice for demonstrations to stress even further the point that we are the victims in a selfish battle that no one truly wins.

"We don't care who is victorious, all we want is to be back in the classroom. Is that too much to ask for?"

The second letter, also from an OAC student, reads:

"The sound of hallways buzzing with activity; the ring of the bell sends people scurrying; the quiet hush as classes begin. I never thought I would miss those familiar sounds, but I do. Those hallways stand empty now, the desks sit vacant and the bells ring meaninglessly.

"I was, we all were, looking forward to this school year. This is my last year at Northern Collegiate. The final year is when the most important educational information is learned so career choices can be finalized. Isn't it also supposed to be filled with fond memories of crowded football games, social engagements and lasting friendships? All of these things are impossible to accomplish without going to school.

"It makes me upset to think that my future is in the hands of the board and the teachers' union. I had hoped both groups had the best interests of the students in mind, but I am positive now that we are not even a concern. Power, control and money are the issues in this strike, but there is no price you can put on an education.

"Is this really what our society has become? We the

students are the future of this country. Education provides us with the necessary tools in order to make this world a better place. Without an education there will be empty minds and there is nothing more dangerous than ignorance."

This legislation before the House today will require the immediate resumption of classes. Legislation will encourage the parties to continue to attempt to resolve the dispute and the legislation will provide for a dispute resolution mechanism if the parties do not agree. It would be irresponsible for this House not to act.

The two letters I quoted in this House are just two of literally hundreds and hundreds that I have received from parents and students who are extremely distressed about the effect of this strike on their education. I can say categorically it has disturbed many, many families in terms of their ordinary and daily family routines as well as disturbed and upset the educating process of students in my community.

I again say it would be irresponsible for this House not to act and, in closing, I urge all members of this House to support the speedy passage of this bill which will allow students to get back to school and will at the same time allow the parties another opportunity to settle their differences. That's what I like about this legislation. It opens the schools immediately and it provides a process and a mechanism for the board and the teachers to resolve their own issues.

I have heard in this House, from all parties in this House, the importance of local boards and teachers arriving at their own solutions, and that's what this legislation will enable them to do. As well, it provides that the parties—both parties, the board and the teachers—by May 1994 will file a joint proposal outlining the steps they will take to improve their relationship.

As I stated earlier in my speech here this afternoon, this is not the first experience that our community has had with strikes. It's something we've got to learn in our community to deal with a lot better. There's a relationship that needs to be forged and built and nurtured and concentrated on in terms of getting to a situation where we don't have to deal with a labour dispute and a strike each and every time this board and these teachers sit down to negotiate anything. There's a clear need that, I think, while you can't legislate cooperation and you can't legislate agreement, you can certainly set the stage and provide some leadership for those types of initiatives to begin in Lambton county.

I know the ministry and the Education Relations Commission stand prepared today to do everything they can to assist that process of rebuilding and of looking for new ways to resolve differences without putting every single student in Lambton county at risk each and every time there's an item that needs to be resolved.

I believe this legislation is progressive. I believe it will, in the short term, solve the immediate problem of getting our students back into school and at the same time deal with the process issues, allow for more collective bargaining and build a plan for the future, a plan that this county and its students, the board and teachers, desperately need to find.



1700

**The Acting Speaker:** Now is the time for members to respond to the member for Sarnia if they would wish to take the floor for two minutes. Are there any members who wish to respond?

**Mr Elston:** I was interested in, very close to the end of the member's speech, the word "progressive" being added to this legislation. I've been here for just over 12 years now, and this is the first time I think I have ever heard a member of the New Democratic Party call this sort of legislation progressive. I do understand what he means. In a practical sense, if you don't have this legislation, the stalemate continues.

I was struck as I was listening to the debate and going through some of my mail by a piece about public education from the OSSTF, which is a compilation of its presentation to the commission talking about the four principles of education: access for all, opportunity for all, achievement for all and value for all. Of course the first two of those were really quite lacking in the Lambton situation. If you can't get to school, there is no access. If you can't get to school, there is no opportunity. If there is no school, there is no achievement at all, and obviously, there is no value in the system if it is not functioning.

My concern is that over the long haul there are going to be more questions raised about this incident as a backdrop to further discussion about what many people are raising as concerns about our education system, about whether or not those four principles are being met at all by our current system. They may very well use the experience in Lambton, either this year's experience or the experience from three years ago, an experience in Guelph or several other places, to figure out whether or not our system is actually doing the right thing for our pupils. I think there are a lot of parents out there who are disappointed, and perhaps this experience may be one of the foundation points for a real discussion.

**The Acting Speaker:** Are there any other members who wish to participate in questions and/or comments? If not, the member for Sarnia has two minutes to respond.

**Mr Huget:** I certainly would like to deal with a couple of the comments made by the member for Bruce. While he and I may disagree on the use of the term "progressive," I would certainly hope he would agree that this legislation is, at the very least, innovative in terms of how it attempts to deal and in fact will deal with a very serious situation.

At the same time that it puts students back in the school, it allows for the collective bargaining process to continue. At the same time it does that, it makes the board and the teachers come to agreement on how they will deal with the loss of instructional time. At the same time it does that, it asks the board and the teachers to create a plan to avoid these kinds of situations in the future.

I would say that would be innovative and, I suppose, in my own way, with limited knowledge of the English language, somewhat progressive in its approach.

I am very concerned about a continuing pattern of labour disputes in my community as it involves this

particular board and its teachers. Parents in my riding have indicated to me very, very clearly and very loudly that they want their children in school, they want the teachers they pay to teach to be in fact teaching, and they are far less patient with these kinds of disputes than they may have been, if they ever were, in the past.

They would like their children to receive a quality education. They recognize that it costs money. They would like their boards of education, and indeed the Ministry of Education, to be cost-effective and cost-efficient in delivery of those educational services, but not at the expense of quality.

They've made it very clear to me that as taxpayers they recognize that quality education costs dollars, and if they can be assured that their children are getting the best possible education provided by the best possible instructors, they will indeed continue to pay those tax dollars, so I think the issue of disputes and a plan for the future to avoid disputes is very much an important part of this solution.

**The Acting Speaker:** Are there any further members who wish to participate in second reading debate on Bill 109? Seeing none, would the minister wish to respond?

**Hon Mr Cooke:** I'll be very brief. I want to thank the members who have participated in the debate this afternoon. I specifically want to thank the members from Lambton and Sarnia who, through this very difficult time, have certainly been very strong in their support for the students in Lambton county and have on a regular basis been raising concerns as they relate to their constituents, concerns that parents have been raising with them as a result of this very difficult situation.

All of us who have been MPPs for a while know that representing a riding where there is a labour dispute involving teachers and boards is extremely difficult, to say the least. I want to pay tribute to the two members, who have I think remained very calm and professional in their dealings with this but have been very tough and strong advocates on behalf of the students in Sarnia and Lambton.

I also want to make one final point. I really believe that this legislation offers an opportunity to the board and the teachers to work out a local solution, at the same time providing for the students to get back to the schools and the kids to get back to regular school days.

I represent an area in Windsor where, back in the 1970s, we had a couple of very difficult disputes between the board and the teachers at the time, and it took a long time to repair the relationships between the board and the teachers. I can tell you, and certainly the parties in Lambton, that it's a lot easier to maintain and improve your relationships if you settle these kinds of disputes at the bargaining table. That opportunity's been provided to them again, and I encourage them to do so.

I also very much encourage the parties to use the section of the act that provides for a process to be put in place to work on preventive mediation or a process to improve the working relationship between the board and the teachers. That is essential for the quality of education in Lambton county and to make sure that this very

difficult circumstance does not repeat itself again. I hope the parties will take that seriously; it's their responsibility to do so, and the law calls for that to happen.

With those few final comments, I would move second reading of Bill 109.

**The Acting Speaker:** Mr Cooke has moved second reading of Bill 109, An Act to settle The Lambton County Board of Education and Teachers Dispute.

Is it the pleasure of the House that the motion carry?  
All those in favour of the motion will please say "aye."  
All those opposed to the motion will please say "nay."  
In my opinion, the ayes have it.  
Call in the members.

*The division bells rang from 1709 to 1739.*

**The Acting Speaker (Mr Noble Villeneuve):** Mr Cooke has moved second reading of Bill 109, An Act to settle The Lambton County Board of Education and Teachers Dispute. All those in favour of Mr Cooke's motion will please rise one at a time and be recognized by the clerk.

#### Ayes

Allen, Beer, Bisson, Boyd, Bradley, Buchanan, Callahan, Carr, Carter, Charlton, Chiarelli, Churley, Cleary, Conway, Cooke, Cooper, Coppen, Cousens, Eddy, Elston, Eves, Farnan, Fawcett, Frankford, Gigantes, Grandmaitre, Haack, Hansen, Harnick, Harrington, Harris, Haslam, Hayes, Henderson, Hope, Huget, Jamison, Johnson (Don Mills), Johnson (Prince Edward-Lennox-South Hastings), Jordan, Klopp, Kwinter, Lankin, Laughren;

Lessard, Mackenzie, MacKinnon, Mahoney, Malkowski, Marchese, Martel, McGuinty, McLean, Miclash, Mills, Morin, Murdoch (Grey-Owen Sound), Murdock (Sudbury), Murphy, North, O'Connor, O'Neill (Ottawa-Rideau), Owens, Perruzza, Philip (Etobicoke-Rexdale), Phillips (Scarborough-Agincourt), Pilkey, Poole, Pouliot, Rae, Ramsay, Rizzo, Runciman, Silipo, Sorbara, Sterling, Sullivan, Sutherland, Swarbrick, Tilson, Turnbull, Ward, Waters, Wessinger, White, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Witmer, Wood, Ziemba.

**The Acting Speaker:** All those opposed to Mr Cooke's motion, please rise one at a time.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 92; the nays 0.

**The Acting Speaker:** I declare the motion carried.  
The bill was also given third reading on motion.

#### PROVINCIAL OFFENCES STATUTE LAW AMENDMENT ACT, 1993

#### LOI DE 1993 MODIFIANT DES LOIS EN CE QUI CONCERNE LES INFRACTIONS PROVINCIALES

Resuming the adjourned debate on the motion for second reading of Bill 47, An Act to amend certain Acts in respect of the Administration of Justice / Projet de loi 47, Loi modifiant certaines lois en ce qui concerne l'administration de la justice.

**The Acting Speaker (Mr Noble Villeneuve):** The

honourable member for Willowdale had the floor when we last debated this bill.

**Mr Charles Harnick (Willowdale):** I concluded the last day by indicating that there were some ways in which we could make this a better bill. One of the things I said was, quite simply, that rather than direct photo-radar at the licence plate only, we should direct it at the driver of the vehicle.

The technology exists so that the driver of the vehicle can be identified. If the driver can't be identified, then the owner would be liable to pay the fine. But if the driver could be identified and a photograph taken so that the owner identified the driver, then we at least are convicting the person who really committed the offence.

If you want to deter people from driving at high speeds, then you had best deter the operator of the vehicle, not the person who might be sitting at home when his vehicle is being used by someone else. That only makes very clear and good sense.

It also answers the question about whether this is just another tax grab. If you're really intent on making this bill directed towards safety and slower speeds on our highways, then convict the operator of the vehicle, not necessarily the owner, who may not be the operator. Otherwise, it really is nothing more than a revenue tax grab, with the revenues not being dedicated to the safety of our highways and safety of people using the roads and highways around Ontario. I don't think, as the bill is now structured, that real deterrence is there. The technology exists to take a photograph of the actual driver, and that's the way this should be directed.

There are a couple of other things in this bill that cause me some concern. One of those things is the idea that a justice will now be in a position to order that any permit "in respect of which a suspension is authorized"—and I emphasize these words—"under any act because of non-payment of the fine be suspended until the fine is paid."

**The Speaker (Hon David Warner):** There are a number of private conversations in the chamber and it would be appreciated if those conversations could be taken elsewhere. The member for Willowdale, with the floor.

**Mr Harnick:** Let me tell you what this means. What this essentially means is that if I have a licence to be a plumber, and if there's an act that authorizes who can be a plumber and that act says if I'm in arrears of any fines my licence to be a plumber is to be taken away, then if I have a fine of any kind under the Provincial Offences Act as it's now being amended, then my licence to make a living is taken away.

**Mr David Winninger (London South):** Baloney.

**Mr Harnick:** The member for London South says, "Baloney," because he says that some bureaucrat he spoke with said something about this and assured him it wasn't true. If you read the applicable sections, and it appears in more than one place in this bill as it's being amended, it says "a suspension is authorized under any act."

If the suspension is authorized under an act that



licenses plumbers, then those plumbers have their licence taken away. That is not their driver's licence, which would be quite a proper thing, but their licence to practise their profession.

I happen to know that when we get into bills like the Family Support Plan Act, many professional people are, quite improperly, in arrears of family support payments. If they are professional people and they can have their licences suspended in order to get the fine paid, it is exactly the same thing, and I happen to know that's what this government is advocating.

1750

**Mr Winninger:** You're wrong.

**Mr Harnick:** The member for London South says I'm wrong. Well, I happened to speak to the Attorney General before making this allegation. It's more than an allegation because she told me that I was absolutely right in my interpretation, and I spoke with her late last week to clarify this point.

I have some misgivings about how far-reaching this particular piece of legislation is. When someone is in arrears of paying a parking ticket, I don't think their job should be in jeopardy. That should not affect their licence to work.

This particular bill can authorize that to happen if any other act is amended accordingly. The government is now in a position to do just that. If they do it here, they will do it with other bills, and I just don't think that's correct.

The other aspect of this bill, and it really is quite an omnibus bill, is that there are some situations in which people now must appear when they go to court the first time. If they intend to plead not guilty, they now have to go and appear personally or have an agent appear personally for them in first-appearance court.

We in Ontario left that behind in terms of provincial offences several years ago. Now what we are going to be doing is having an extra court to deal with setting trial dates in the event that someone doesn't wish to plead guilty to an offence. Again, I think that is a step in the wrong direction.

I'll tell you another thing where the government can deal with some of these problems. A constituent of mine went to have his licence sticker renewed. He went to have his licence sticker renewed, but because he had a parking ticket, they would not renew—and quite properly—his licence.

The fact is he had appealed the conviction on the parking ticket. He brought the notice of appeal into the licensing office, and they told him, "You cannot have your licence renewed until you pay the fine." He tried to explain: "I am not guilty. I have appealed. I will be guilty if I lose the appeal, but until then I am not guilty."

Nevertheless, he could not renew his licence and must pay the fine in order to get his sticker, even though the appeal is pending and comes up after the renewal date. I urge the Attorney General, and I have spoken to her about this, to deal with this matter.

Those in effect are the remarks that I have to make on this bill. Particularly dealing with photo-radar, there are many things the government can do to make this bill

better. I urge the Minister of Transportation to read the remarks I made last time, to use the technology that's available, to convict the driver. The technology is there to do that. Don't just take photographs of the licence plate. If you really want to deter, convict the people who are actually operating the vehicles.

**The Speaker:** I appreciate the member for Willowdale's contribution to the debate and invite any questions and/or comments. Seeing none, the Minister of Northern Development and Mines.

**Hon Shelley Martel (Minister of Northern Development and Mines):** Mr Speaker, His Honour awaits to give royal assent.

**The Speaker:** His Honour awaits royal assent, so we shall await the arrival of His Honour.

His Honour the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.

ROYAL ASSENT

SANCTION ROYALE

**Hon Henry N.R. Jackman (Lieutenant Governor):** Pray be seated.

**The Speaker (Hon David Warner):** May it please Your Honour, the Legislative Assembly of the province has, at its present meetings thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 7, An Act to amend certain Acts related to Municipalities concerning Waste Management / *Projet de loi 7, Loi modifiant certaines lois relatives aux municipalités en ce qui concerne la gestion des déchets*

Bill 42, An Act to provide for Farm Registration and Funding for Farm Organizations that provide Education and Analysis of Farming Issues on behalf of Farmers / *Projet de loi 42, Loi prévoyant l'inscription des entreprises agricoles et le financement des organismes agricoles qui offrent des services d'éducation et d'analyse en matière de questions agricoles pour le compte des agriculteurs*

Bill 109, An Act to settle The Lambton County Board of Education and Teachers Dispute / *Projet de loi 109, Loi visant à régler le conflit entre le conseil de l'éducation appelé The Lambton County Board of Education et ses enseignants.*

**Clerk of the House (Mr Claude L. DesRosiers):** In Her Majesty's name, His Honour the Lieutenant Governor doth assent to these bills.

Au nom de Sa Majesté, Son Honneur le lieutenant-gouverneur sanctionne ces projets de loi.

His Honour was then pleased to retire.

1800

**The Speaker:** Pursuant to standing order 34, the question that this House do now adjourn is deemed to have been made.

## SOCIAL ASSISTANCE

**The Speaker (Hon David Warner):** The member for Bruce has given notice of his dissatisfaction with the answer to a question to the Premier. The member for Bruce has up to five minutes to debate the matter and the Premier has up to five minutes for his reply. The honourable member for Bruce.

**Mr Murray J. Elston (Bruce):** I probably won't take five minutes, although there are several things that must be said about this issue in this House.

Basically, I raised a question last week about concerns that I have seen reported in a newspaper article from the Vancouver Sun, again repeated in a copy of the Ottawa Citizen, which has claimed that several millions of dollars annually leave this country, the money having been first obtained by multiple applications for welfare by certain people in the province.

My concerns in raising the issue were several, but primarily the fact that our welfare system allegedly was being systematically relieved of its funds by a group that had decided it was going to use those funds internationally to help with the acquisition of arms and other commodities for the conduct of violence in another country concerns me greatly. It concerns me greatly because we have peacekeepers in several countries around the world who are doing a job which is designed to alleviate suffering and problems in those areas.

The particular issue I raised dealt with a report in the Vancouver Sun that dealt with the Somali community, and of course the aggression that has gone on there is among individuals from various clans. The fighting which has occurred and which now has taken the lives of scores of peacekeepers from countries other than Canada who are there, including a US military personnel, including Nigerians and including Pakistanis, really causes a great deal of concern on my part.

The interest that I had secondly was focused on the fact that our welfare system, which has been subject to an increase which I think a good number of people in the province have found to be unacceptable, it appears could find some relief if the fraud that was being alleged was occurring was constrained and that the integrity of the entire operation would then be much more happily funded by the taxpayers.

I asked the question of the Premier and I was charged with having exhibited synthetic indignation over the concern that money was leaving the taxpayers' treasury

of this province for the purpose of buying weapons for people in other parts of the world. I was charged that I shouldn't do anything that would isolate a particular group that was alleged to be involved in this activity unless I had something more than a newspaper report.

There are several activities that are going on these days I think under the auspices of a number of organizations which are suggesting that there is an organized effort to take money from our welfare system and transfer it to other organizations internationally.

There are, in my view, therefore several reasons why the Premier should have responded to me in ways that differed from the manner in which he ultimately enjoined my question. He should have explained to us what steps were being taken by the people with respect to welfare fraud.

In fact previously, in May 1992 I believe it was, the then minister, Marion Boyd, the member for London Centre, had indicated that she, on behalf of the Ministry of Community and Social Services, was going to hire some 450 people. Later it was confirmed by the current Minister of Community and Social Services that several people had been hired to deal with welfare fraud. They felt they were going to save upwards of maybe \$16 million in the upcoming fiscal year, or maybe that's for the whole fiscal year, I think starting this past April.

The Premier didn't give me any satisfaction that he even knew about the allegations, which were obviously well known in other parts of the government. He didn't tell us what steps he was taking, what was possibly being done to make sure that any efforts were being curtailed to take money from the welfare system of our great province to do these other acts internationally.

I'm concerned by that. I wanted the people to know that the Premier should have been more forthcoming with us to explain that he was protecting the taxpayers, that he was in fact protecting the peacekeepers in those other areas by making sure that our welfare system was not funding those things.

I didn't hear it. I give him the opportunity now to reply and give us some sense that action has been taken.

**The Speaker:** The member's time has expired. The Premier is not present nor is the Deputy Premier. No other member is permitted to respond under the standing orders. There being no further matter to be debated, this House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 1807.



**LEGISLATIVE ASSEMBLY OF ONTARIO  
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Algoma-Manitoulin	Brown, Michael A.	L	
Beaches-Woodbine	<b>Lankin, Hon/L'hon Frances</b>	ND	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Brampton North/-Nord	McClelland, Carman	L	
Brampton South/-Sud	Callahan, Robert V.	L	
Brant-Haldimand	Eddy, Ron	L	
Brantford	<b>Ward, Hon/L'hon Brad</b>	ND	Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances
Bruce	Elston, Murray J.	L	
Burlington South/-Sud	Jackson, Cameron	PC	
Cambridge	<b>Farnan, Hon/L'hon Mike</b>	ND	Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation
Carleton	Sterling, Norman W.	PC	
Carleton East/-Est	Morin, Gilles E.	L	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la chambre et Président du Comité plénier de l'Assemblée législative
Chatham-Kent	Hope, Randy R.	ND	
Cochrane North/-Nord	Wood, Len	ND	
Cochrane South/-Sud	Bisson, Gilles	ND	
Cornwall	Cleary, John C.	L	
Don Mills	Johnson, David	PC	
Dovercourt	<b>Silipo, Hon/L'hon Tony</b>	ND	Minister of Community and Social Services / ministre des Services sociaux et communautaires
Downsview	Perruzza, Anthony	ND	
Dufferin-Peel	Tilson, David	PC	
Durham Centre/-Centre	White, Drummond	ND	
Durham East/-Est	Mills, Gord	ND	
Durham West/-Ouest	Wiseman, Jim	ND	
Durham-York	O'Connor, Larry	ND	
Eglinton	Poole, Dianne	L	
Elgin	North, Peter	Ind	
Essex-Kent	Hayes, Pat	ND	
Essex South/-Sud	Vacant	L	
Etobicoke-Humber	Henderson, D. James	L	
Etobicoke-Lakeshore	<b>Grier, Hon/L'hon Ruth A.</b>	ND	Minister of Health / ministre de la Santé
Etobicoke-Rexdale	<b>Philip, Hon/L'hon Ed</b>	ND	Minister of Municipal Affairs / ministre des Affaires municipales
Etobicoke West/-Ouest	Stockwell, Chris	PC	
Fort William	McLeod, Lyn	L	Leader of the Opposition / chef de l'opposition
Fort York	Marchese, Rosario	ND	
Frontenac-Addington	<b>Wilson, Hon/L'hon Fred</b>	ND	Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement
Grey-Owen Sound	Murdoch, Bill	PC	
Guelph	Fletcher, Derek	ND	
Halton Centre/-Centre	Sullivan, Barbara	L	
Halton North/-Nord	Duignan, Noel	ND	
Hamilton Centre/-Centre	<b>Christopherson, Hon/L'hon David</b>	ND	Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Hamilton East/-Est	<b>Mackenzie, Hon/L'hon Bob</b>	ND	Minister of Labour / ministre du Travail

Constituency/Circonscription	Member/Député(e)	Party/Parti	Other responsibilities/Autres responsabilités
Hamilton Mountain	<b>Charlton, Hon/L'hon Brian</b>	ND	Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et ministre délégué à l'Assurance-automobile
Hamilton West/-Ouest	<b>Allen, Hon/L'hon Richard</b>	ND	Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
Hastings-Peterborough	<b>Buchanan, Hon/L'hon Elmer</b>	ND	Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
High Park-Swansea	<b>Ziembra, Hon/L'hon Elaine</b>	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Huron	Klopp, Paul	ND	
Kenora	Miclash, Frank	L	
Kingston and The Islands / Kingston et Les Îles	Wilson, Gary	ND	
Kitchener	Ferguson, Will	Ind	
Kitchener-Wilmot	Cooper, Mike	ND	
Lake Nipigon/Lac-Nipigon	<b>Pouliot, Hon/L'hon Gilles</b>	ND	Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
Lambton	MacKinnon, Ellen	ND	
Lanark-Renfrew	Jordan, W. Leo	PC	
Lawrence	Cordiano, Joseph	L	
Leeds-Grenville	Runciman, Robert W.	PC	
Lincoln	Hansen, Ron	ND	
London Centre/-Centre	<b>Boyd, Hon/L'hon Marion</b>	ND	Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
London North/-Nord	Cunningham, Dianne	PC	
London South/-Sud	Winninger, David	ND	
Markham	Cousens, W. Donald	PC	
Middlesex	Mathyssen, Irene	ND	
Mississauga East/-Est	Sola, John	Ind	
Mississauga North/-Nord	Offer, Steven	L	
Mississauga South/-Sud	Marland, Margaret	PC	
Mississauga West/-Ouest	Mahoney, Steven W.	L	
Muskoka-Georgian Bay	Waters, Daniel	ND	
Nepean	Daigeler, Hans	L	
Niagara Falls	Harrington, Margaret H.	ND	
Niagara South/-Sud	<b>Coppen, Hon/L'hon Shirley</b>	ND	Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs
Nickel Belt	<b>Laughren, Hon/L'hon Floyd</b>	ND	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Nipissing	Harris, Michael	PC	
Norfolk	Jamison, Norm	ND	
Northumberland	Fawcett, Joan M.	L	
Oakville South/-Sud	Carr, Gary	PC	
Oakwood	Rizzo, Tony	ND	
Oriole	Caplan, Elinor	L	
Oshawa	<b>Pilkey, Hon/L'hon Allan</b>	ND	Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales
Ottawa Centre/-Centre	<b>Gigantes, Hon/L'hon Evelyn</b>	ND	Minister of Housing / ministre du Logement
Ottawa East/-Est	Grandmaître, Bernard C.	L	
Ottawa-Rideau	O'Neill, Yvonne	L	
Ottawa South/-Sud	McGuinty, Dalton J.P.	L	
Ottawa West/-Ouest	Chiarelli, Robert	L	
Oxford	Sutherland, Kimble	ND	
Parkdale	Ruprecht, Tony	L	
Parry Sound	Eves, Ernie	PC	
Perth	Haslam, Karen	ND	



Constituency/Circonscription	Member/Député(e)	Party/Parti	Other responsibilities/Autres responsabilités
Peterborough	Carter, Jenny	ND	
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Prescott and Russell / Prescott et Russell	Poirier, Jean	L	
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Quinte	O'Neil, Hugh P.	L	
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St Catharines-Brock	Haeck, Christel	ND	
St George-St David	Murphy, Tim	L	
Sarnia	Huget, Bob	ND	
Sault Ste Marie / Sault-Sainte-Marie	Martin, Tony	ND	
Scarborough-Agincourt	Phillips, Gerry	L	
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Scarborough East/-Est	Frankford, Robert	ND	
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Waterloo North/-Nord	Witmer, Elizabeth	PC	
Welland-Thorold	Kormos, Peter	ND	
Wellington	Arnott, Ted	PC	
Wentworth East/-Est	Morrow, Mark	ND	
Wentworth North/-Nord	Abel, Donald	ND	
Willowdale	Harnick, Charles	PC	
Wilson Heights	Kwinter, Monte	L	
Windsor-Riverside	<b>Cooke, Hon/L'hon David</b>	ND	Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main- d'oeuvre
Windsor-Sandwich	Dadamo, George	ND	
Windsor-Walkerville	Lessard, Wayne	ND	
York Centre/-Centre	Sorbara, Gregory S.	L	
York East/-Est	Malkowski, Gary	ND	
York Mills	Turnbull, David	PC	
York North/-Nord	Beer, Charles	L	
York South/-Sud	<b>Rae, Hon/L'hon Bob</b>	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
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## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 27 October 1993

# Journal des débats (Hansard)

Mercredi 27 octobre 1993

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
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Wednesday 27 October 1993

The House met at 1332.

Prayers.

#### MEMBERS' STATEMENTS

HARRY GAIREY

**Mr Alvin Curling (Scarborough North):** Tomorrow, just about this time, we say goodbye to a true human being, an individual who fought for the rights of human beings who are struggling for equity.

Harry Gairey died at 98. He was a mentor not only to me but to many, many people in this country. Mr Gairey arrived in Canada in 1914 and has been a true what we call a Marcus Garveyite and has struggled and fought for the rights of the people. He was also the individual who formed the Brotherhood of Sleeping Car Porters of Canada in 1950. He also founded the Negro Citizenship Association.

Not only is he regarded as the godfather for all of us here in the black community, but he was also recognized by Canada. The Order of Canada was bestowed upon him, the Order of Ontario, the Order of Jamaica and the Ontario Medal for Good Citizenship.

Mr Gairey is survived by his wife, Amy, her son Carl and his son Harry Jr. He was such a wonderful individual. I remember him advising me the first time I ran and telling me how important it was for me to stand tall in the cause that I do and to believe in what I do.

He'll be missed individually, but I tell you his work will be continued and felt among all of us, regardless of what colour we are. We hope God rests his soul.

#### RAIL SERVICE IN ALGONQUIN PARK

**Mr Leo Jordan (Lanark-Renfrew):** I direct this statement to the Minister of Natural Resources. I would like to express my support, Minister, for your opposition at the National Transportation Agency of Canada hearings to the CN and CP rail line consolidation through Algonquin Park. The consolidation of these lines will serve to increase train traffic through the park and at the same time will abandon an existing CP line that is required to serve the scenic Ottawa Valley.

As a result of this consolidation, the drastic increase in rail traffic through Algonquin Park will significantly change the character of this park. As I stated earlier this year, this will have a very negative impact upon the ecosystem and aesthetics of Ontario's oldest provincial park. From an environmental perspective, more wildlife will be killed on the tracks, and the possibility of chemical spills will increase in an area where a cleanup would be extremely difficult due to isolation from major highways.

The increase in rail service through the park may also reduce the number of park visitors in the long term. Noise pollution levels will ruin the natural wilderness experience for many visitors. In this year of the 100th anniversary of Algonquin Provincial Park, it is essential that we work to protect the natural heritage and resources which this wilderness sanctuary is designed to preserve.

#### FEDERAL ELECTION

**Mr Mark Morrow (Wentworth East):** I'm appalled at the behaviour of Her Majesty's loyal opposition basking in the election victory of Monday. By doing this, they are denying political history. In 1984, if the campaign had lasted just one more week, the Liberal Party would probably have suffered the same fate as the Progressive Conservatives did on Monday.

This defeat is one that the major parties seem to think will never happen to them. I know that my party has had its share of times when it seemingly has been wiped off the election map. Each time New Democrats have banded together behind their firm commitment to a social democracy system, gotten off the ground and, like a phoenix, they have risen again.

In spite of the comments yesterday by the Leader of the Opposition, the New Democrats are not a party divided by factions, or a party searching for a way, or a party that is continually lusting for power, but people who believe that social programs are sacred, that assisting people when they need help is critical and that fairness must be maintained.

My federal leader will take this program to Ottawa, and even though party status has been lost, the message will still be spoken. I am proud of the candidates who carried the banner, either successfully or unsuccessfully, because I know Canadians want their caring to continue.

To the people on the other side of the House who continually write the obituaries of the NDP: You'd better prepare for the election battle to continue.

#### TOURISM

**Mr John C. Cleary (Cornwall):** Residents in my area are shaking their heads over the provincial government's apparent lack of interest in tourism in eastern Ontario.

The St Lawrence Parks Commission made a decision in 1990 to close five parks in the system, and two more have been closed since then. The Premier and the Minister of Culture, Tourism and Recreation have indicated no interest in meeting with municipal councils to discuss possible leasing agreements.

I have told this House many times that I believe the government and the parks commission should be working more closely with municipalities and private interests to boost tourism in the area and improve cooperation between the commission and the private sector. I have also raised a number of incidents which underline the need for a review of the parks commission's outlook on private sector participation in tourism.

I have now written to the minister three times requesting that Charlottenburgh township be granted a meeting with her to discuss the reopening of the Raisin River and Charlottenburgh parks, and still no answer. The Premier told me to deal directly with the Minister of Tourism, Culture and Recreation.

I can only call upon the minister one more time to meet with the Charlottenburgh township in good faith and

consider all options to reopen the parks. Eastern Ontario already possesses the natural charm to attract tourists. It now deserves a little cooperation from this government.

1340

#### GREY SAUBLE CONSERVATION AUTHORITY

**Mr Bill Murdoch (Grey-Owen Sound):** Members of the Grey Sauble Conservation Authority wrote to the Minister of Natural Resources in August to advise him of their concern with his apparent lack of commitment to the partnership which has existed for many years between his ministry and the conservation authorities of Ontario. They have received no response.

Over one year ago, I raised the issue of a memorandum of agreement signed by the MNR and Grey Sauble which entitled the ministry to harvest and sell the authority's trees. Traditionally, MNR keeps the proceeds from these sales but gives any surplus funds back to the authority when asked. However, when Grey Sauble requested money on March 31, 1992, they were told, with no consultation, that the ministry was reconsidering the process of returning funds even though there was in excess of \$40,000 in the account belonging to Grey Sauble. They still do not have their money.

The minister knows full well that the conservation authority relies on the sale of these trees to carry out its programs, especially now when funding is being slashed. Grey Sauble is concerned that a system of arbitrary decision-making is now in place and the previously effective method of consultation has become a thing of the past.

I believe Grey Sauble's concerns are well founded. The decision to ask conservation authorities to pay property taxes while at the same time cutting their operating grants was also made with no prior discussion. The ministry cannot continue to operate in this fashion, and I would ask the minister to listen to the community. As the Grey Sauble Conservation Authority says in its letter, unilateral decisions without consultation are no longer acceptable in today's society or in government.

#### MINING INDUSTRY

**Mr Gilles Bisson (Cochrane South):** I'd like to take this opportunity to remind the people of Ontario and those watching of the importance of our mining sector in the provincial economy of Ontario.

You would know, Mr Speaker, that because of the ongoing work of groups like Save Our North, based out of northeastern Ontario, in regard to trying to assist mining and to develop the kinds of strategies that we need to be able to encourage mining, a number of things have been developed in partnership with the Save Our North group, the mining industry and the government through the Minister of Mines, Shelley Martel, the Premier and other people.

Some of the things we've managed to accomplish are very amazing. We've managed to be able to develop a good system of databases by which to be able to develop a system of information for prospectors so that they can better have the tools to do their jobs. We amended Bill 220, the Environmental Protection Act that was developed by the Liberal government, which impeded mining.

We were able to make some changes in that act in order to be able to clear up the question of liability when it came to that.

We were able to develop a one-window approach to permitting in order to assist mining operators to be able to go out and to work on property. We were able to develop some land use planning policy that we're doing right now with my colleagues Mr Hampton and Mr Wood in regard to land use planning.

But there is a part missing. One of those is the question of incentives. We had an election on October 25. The Liberal Party of Canada was elected to the House of Commons in Canada. They have talked in their campaign about being able to bring forward flow-through shares back into the economy so that we can get mining going. I want to say that we're waiting for it; we're waiting with bated breath for the Liberal government of Canada to work with the province of Ontario to develop flow-through shares once again so we can get mining back to work. We look forward to the Liberals fulfilling that commitment.

#### LAYOFFS

**Mr Monte Kwinter (Wilson Heights):** Today Ontario's recovery was dealt another body blow with Dofasco's announcement on an involuntary, indefinite laying off of 750 workers by next April. That is almost 10% of its remaining workforce.

The implications of this announcement are staggering. Here we are two years into an economic recovery and economic conditions are still so bad that one of Ontario's largest employers is forced to cut its staff by an additional 10%. Now another 750 people are on the unemployment lines. With Ontario's high unemployment rate, many of these former steelworkers could end up on welfare.

Economists say that times are tough, but in Ontario they are tougher. Here, employment is not likely to reach the pre-recession peak until 1995. Ontario used to have the lowest unemployment rate in the country. Now we are fifth. Our economy is performing worse than four other provinces. The government likes to blame global restructuring for its problems, but that's only part of it. We are performing worse than four other provinces, all of which face the same global pressures as Ontario.

The reason that Ontario's recovery is almost non-existent and the reason that these 750 people at Dofasco find themselves on the unemployment line is because of this government's inability to generate any type of workable plan for getting Ontario growing again.

On Monday, Ontarians sent the federal Conservatives the message that they want jobs, and it is apparent that this government will get the same message in another 18 months.

#### CLOSURE OF GOVERNMENT OFFICE

**Mr Allan K. McLean (Simcoe East):** My statement is for the Minister of Municipal Affairs and concerns his decision to move his ministry office out of Orillia. I'm pleased the Premier is here today; I ask you to listen closely to this statement, Mr Premier.

When I first raised this matter in the Legislature on



September 28, I told you about a resolution that was passed and sent to the minister from the Clerks and Treasurers Association of Simcoe County objecting to the closure of the Orillia office and requesting that your government reconsider this decision. You claimed you had not seen a copy of this resolution that had been mailed to you on September 17. Instead of responding to their legitimate concerns, you suggested the closure of the Orillia office is your way of economizing and delivering services more efficiently.

I warned you that closing the Orillia office would not be cost-efficient nor efficient for taxpayers because of the remaining \$48,000 annual rent for three more years, recent renovations and new furnishings that cost \$70,000, the need to rent more space in Toronto at a higher square-footage rate, the estimated minimum \$25,000 cost per person to move, and the increased travel and accommodation expenses for staff from Toronto to serve Simcoe county. As well, I pointed out that the reports from both the Sewell commission and your own ministry recommended maintaining a presence in the city of Orillia.

You claimed that your studies indicate closing the Orillia office would result in substantial savings of close to \$500,000. Mr Premier, I want the minister to give us the studies now. I would like to see the breakdown so that we know what the true cost is.

#### RED HILL VALLEY

**Mr Donald Abel (Wentworth North):** I rise today to offer a very special invitation, an invitation to Liberal leader Lyn McLeod and her Liberal colleagues to attend the Red Hill Valley Exhibition, a part of the On The Edge art-environmental project which focuses on distinctive natural environments in the Hamilton-Wentworth region.

As I mentioned in this House on an earlier date, Liberal leader Lyn McLeod and some of her party hopefuls came to Hamilton and promised expressway proponents to vote for the Liberals and they would provide money to pave over the Red Hill Creek Valley with an expressway.

The Red Hill Creek Valley is the only remaining large green space in the industrial east end of Hamilton. The predominantly wooded 1,600 acres of the valley reduce air pollution and provide cooling in the summer. The valley is an important remnant of the once-existing Carolinian forest. The areas of the Niagara Escarpment which the valley encompasses are recognized by UNESCO as a world biosphere reserve, and it provides links with natural areas stretching over 700 kilometres.

At the two intersections of the wooded corridors, the Red Hill Valley exhibits a great degree of biological diversity. There are migrating songbirds, and variation in moisture and topography contribute to the creation of a number of microclimates which sustain over 36 species of butterflies, 11 types of reptiles and amphibians and 340 plant classifications.

The exhibition runs until November 25 in Hamilton. I strongly urge you, Mrs McLeod, and others wishing to pave over the Red Hill Creek Valley to come out and

find out what the Red Hill Creek Valley is all about.

1350

#### ORAL QUESTIONS

##### SOCIAL ASSISTANCE

**Mrs Lyn McLeod (Leader of the Opposition):** My question is for the Premier. Last week we raised our concerns about the growing problem of welfare fraud in one specific community. The Premier dismissed out of hand the concerns that were raised in a question by the member for Bruce; in fact, he challenged us to produce evidence. If you need to be reminded of the way in which you responded to the question from the member for Bruce, I will send you a copy of the Hansard which I have in front of me, in which you challenged the member for Bruce to produce evidence of whether or not there was any problem.

Premier, earlier today I gave notice that I would be raising this issue in the House this afternoon and I forwarded to you and to the Minister of Community and Social Services copies of a federal government internal report regarding investigations that deal specifically with refugees who are applying for welfare under up to 20 names and who are then sending that welfare money to their home country, in this case Somalia.

The reports allege that an individual enrolling in our welfare system under multiple names can easily receive over \$100,000 a year in welfare funding and sometimes receive up to \$300,000. The report states that the fraud is over tens of millions of dollars annually.

Premier, as this particular report refers to investigations that took place earlier this year, I assume you have been fully briefed on the issue since the member for Bruce raised the question earlier. What involvement did your government have in these past investigations and what did you do as a result of these investigations to prevent fraudulent multiple welfare claims?

**Hon Bob Rae (Premier):** Mr Speaker, I'll refer that to the Minister of Community and Social Services.

**Hon Tony Silipo (Minister of Community and Social Services):** I want to say to the Leader of the Opposition that I appreciate her having sent the material she referred to, although I also want to note for her that it arrived in my office at 1:15 this afternoon, so I haven't made my way entirely through the package she sent.

To address very specifically her question, the report indicates very clearly the high level of cooperation there has been between the federal authorities and, in the cases referred to, the people locally responsible for the social assistance system, in both cases people at the municipal level. I think it's important that this also be underscored.

I can't say to her exactly, not having had the chance to go through the exact report, what the level of involvement at the ministry level has been on this issue, but certainly on the issues raised by her colleague last week I know the people at our area office were also aware of the investigations under way, and there has been full cooperation between the federal authorities on this and the local people involved in running the social assistance system in addressing what is obviously an important issue that needs to be addressed.

**Mrs McLeod:** I'm somewhat confused by the minister's response. He indicates, as I would have hoped he would, that his ministry was working cooperatively with the federal government in carrying out this investigation. I sent a copy of the report so that the minister and the Premier would be aware that I had a copy of it and was going to be raising the issue in the House today. I had assumed that the minister, having been involved with his ministry in the investigation, would be aware of the results of the investigation and would be prepared to tell us today exactly what action his government has taken, as a result of that investigation, to deal with the concerns that were clearly outlined in that report. I was not expecting that the minister would have to have time to read the report itself.

Let me, for the minister's sake, cite one part of that report. "This group is importing refugees to systematically pillage our vulnerable and exposed social welfare systems in an attempt to raise funds to support clan interests in the struggle for power in Somalia." The report notes that a few key organizers are compelling other Somalians to move to Canada for the sole purpose of accessing welfare funds through multiple applications.

Minister, this whole process appears to be designed to send welfare money back to Somalia to fund the purchase of weapons and arms for fighting in that country. Again, I remind you that according to this report these kinds of activities are costing Ontario taxpayers tens of millions of dollars a year. Our purpose in raising the question again today is to say: How can this happen in Ontario?

**The Speaker (Hon David Warner):** Could the leader place her question, please.

**Mrs McLeod:** Can you tell us the extent of this problem? Can you tell us whether you are continuing to work with the federal government on further investigations and what investigations you have initiated through your ministry to assess the extent of the problem and to deal with it?

**Hon Mr Silipo:** There are a lot of questions in that supplementary, so let me try quickly to address as many as I can. We are absolutely addressing this issue. We are continuing to work with the federal authorities; in fact, we are in the process of adding to the efforts that have been under way by developing a joint information system, an information-sharing agreement with the federal authorities which will allow us to be able to cover the exchange of information between the immigration systems and the social assistance systems.

The Leader of the Opposition would be the first to remind us that in doing that we have to, on the one hand, be very clear about what can be done and should be done in terms of that sharing of information and, on the other hand, balance the interests and the protection for individuals' freedoms. That's what we are doing. But that process is happening, and I can tell her that it will continue in earnest.

Also, and we were able to outline some of these in answers to earlier questions, we have taken this issue quite seriously and have demonstrated that commitment by putting more people into the system at the staff level both to be able to do case reviews of people who are on

social assistance and also just to be able to add more people to deal with the increasing case load that our income maintenance workers have to deal with, which sometimes leads to some of these problems developing. Simply by oversight is how they sometimes also happen.

This is an issue that we take quite seriously. While the member may be looking for very detailed answers on every little piece of the puzzle, I think she will also appreciate that those are not always answers that can be given. I can tell her that this is an issue that is being looked at and is being addressed quite seriously, and I'd be happy to be able to provide further information as the situation warrants and as the situation allows.

**Mrs McLeod:** I do want to emphasize the fact that we raise this as an issue which is within provincial jurisdiction. The Premier himself, in responding to the member for Bruce last week, did say that if there was any evidence that there was fraud or allegations of fraud, it was the provincial government that had an obligation to monitor, to investigate the instances of fraud, to charge those who are responsible for fraud, and to deal with it on that basis. Because that was clearly a provincial responsibility acknowledged by the Premier, I was concerned to read in these reports that the province is doing almost nothing to monitor and control this kind of organized and systematic fraud.

The reports do suggest some very specific steps that you as minister should be taking and that your government should be taking to control welfare fraud. Two of those recommendations: One is that there be a linking of local welfare databases to catch the duplicate applications; the other is that you establish formal investigation procedures with federal officials under memorandums of understanding.

I ask whether or not you are aware of those specific recommendations and whether or not you are taking any action on those two specific recommendations: the establishment of linkages between local welfare databases and the establishment of memorandums of agreement with the federal government. I'm asking you specifically, what are you doing to follow up on these kinds of solutions to prevent these millions of dollars in welfare fraud?

**Hon Mr Silipo:** As I think the honourable Leader of the Opposition would know, the development of a more systematic database is one of the fundamental pillars of the new system we think we need to bring about. In fact, the collapsing of the two systems we have now in the province, as I think she would also know and would be ready to admit, is also the basis of to what extent the provincial government is directly involved in the details of these investigations and to what extent it's the municipal authorities that are involved, where they are the deliverers in terms of the general welfare assistance system.

But I can say to her very clearly that the issue of the development of the database is certainly something we have acknowledged and have agreed is something that needs to be done, and a lot of work is happening on that as part of bringing together the new system. With that, the point I made earlier in answer to the earlier supple-



mentary I think will also help us address the issue of more formal investigations.

I would end by saying that I think it is also helpful, when these issues are raised, if in fact the honourable Leader of the Opposition expects me to be able to answer in detail some of the issues she raises, that there is an onus to bring the specifics to my attention a little earlier than 15 minutes before the beginning of question period.

Notwithstanding that, the issues, I can tell her very clearly, are being addressed, and I have every confidence that they are being addressed in the most effective manner.

*Interjections.*

**The Speaker:** Order. New question, the Leader of the Opposition.

**Mrs McLeod:** Mr Speaker, I hope you will consider it a point of privilege when I say I really do take offence at the suggestion from the minister that we're not working hard enough to do his job for him. I felt it was responsible opposition to give this minister and the Premier a copy of the report—

**The Speaker:** The Leader of the Opposition will know that she does not have a point of privilege. However, she does now have an opportunity to place a new question.

*Interjections.*

**The Speaker:** Order. The Leader of the Opposition with her second question.

1400

#### WORKERS' COMPENSATION BOARD

**Mrs Lyn McLeod (Leader of the Opposition):** My second question is to the Premier. Yesterday we raised a question about the comments Brian King, the vice-chairman of the Workers' Compensation Board, had made on the credibility of the Provincial Auditor.

What we have here, Premier, is a senior official of the Workers' Compensation Board, and again, I remind you, as I did yesterday, that Mr King is a senior officer appointed by you. This senior official has deliberately misled a legislative committee. He has attempted to undermine the credibility and the integrity of the Provincial Auditor in order to protect himself and to deflect attention from the financial mismanagement of the Workers' Compensation Board.

Mr King has now offered a rather lukewarm apology to the auditor for any misunderstandings that may have resulted because of his comments. This kind of apology, Premier, is simply unacceptable. I would ask if you are now prepared to demand that Mr King offer a complete withdrawal of his remarks and a full and unqualified apology to the Provincial Auditor and to this House for misleading a legislative committee.

**Hon Bob Rae (Premier):** I will refer the question to the Minister of Labour.

**Hon Bob Mackenzie (Minister of Labour):** I take exception to "deliberately misleading the committee." I think the leader of the official opposition also knows that a letter was sent to the Chairman of the committee which states in part—

**Mr Gregory S. Sorbara (York Centre):** We take exception to him doing that as well. That's why we raised the question.

**The Speaker (Hon David Warner):** Order. The member for York Centre knows that he should not use unparliamentary language and I would ask him to withdraw the remark.

**Mr Sorbara:** I'm sorry, Mr Speaker; I'm not sure what—I mentioned that the allegation was that the vice-chair of the board deliberately misled the committee. That's on the public record. I didn't refer to the minister deliberately misleading anyone. I talked about a public official.

**The Speaker:** What I heard the member say was that he was accusing the minister of misleading.

**Mr Sorbara:** Mr Speaker, I invite you to check Hansard. I at no time said that the minister was misleading. What I said was that the vice-chair of the Workers' Compensation Board was deliberately misleading the committee.

**The Speaker:** I will accept that. The Minister of Labour.

**Hon Mr Mackenzie:** Mr King has sent a letter to the auditor apologizing for any misunderstandings about the objectivity and factual content of your report. The auditor has sent a letter back to the Chairman of the committee in which he states in part, "In my opinion, this would put the matter to rest and would enable all of us to carry on the important work of improving the accountability framework in which the WCB operates." I don't see that as a deliberate misrepresentation and I think that we should get on with the job of trying to make the corrections that we know have to be made at the board.

**Mrs McLeod:** This is not just a misunderstanding. Mr King can't simply respond by saying he apologizes for a misunderstanding. It was quite clear in the auditor's response, and we raised this yesterday, that Mr King indicated that he'd asked the auditor for a legal opinion, which the auditor was precluded from providing, and that he claimed that the auditor had given a go-ahead to the WCB building through a previous audit when the auditor said he had no knowledge of the plans for that building so could not possibly have given the go-ahead for it. How can that be considered a misunderstanding? Those are factually incorrect statements made to a legislative committee of this House, and that is why we characterize them as deliberately misleading.

I simply don't believe that the kind of apology that Mr King has offered settles the matter. I am concerned about this kind of behaviour, given the fact that we are all concerned with the financial crisis that the Workers' Compensation Board is facing. You surely know, Minister, that with a financial crisis that sees an unfunded liability growing by more than \$1 million a day, the liability of the Workers' Compensation Board could soon rival the liability of the provincial debt.

It is absolutely essential that all of the energies of the officials of the Workers' Compensation Board be devoted to dealing with the very real problems of workers' compensation and that liability. I ask the Premier,

although he refers the question, as I ask you: How can you possibly continue to condone this kind of irresponsible behaviour from officials of the Workers' Compensation Board who should be concentrating their energies on solving the WCB problems?

**Hon Mr Mackenzie:** I don't condone any irresponsible activity, but I don't see it here. I don't know anybody who's working harder than Mr King and the current board, trying to deal with some of the problems at the Workers' Compensation Board. His letter seems to have satisfied the auditor.

**Mrs Elinor Caplan (Oriole):** He didn't tell the committee the facts. Is that okay with you?

**The Speaker:** Order, the member for Oriole.

**Hon Mr Mackenzie:** I would also like to state again for the record that the ministry and the WCB are complying with all of the original recommendations in the auditor's report about the WCB building.

**Mrs McLeod:** Mr King's halfhearted apology, an apology for creating misunderstandings, has not satisfied the members of this caucus. I don't believe it has satisfied the members of the public who are concerned about what this says to their confidence in the management of the Workers' Compensation Board. Mr King has not acknowledged that he in any way misled the committee. He has not admitted that it was absolutely irresponsible to cast aspersions on the Provincial Auditor. He has not taken responsibility for the damage that he himself has done by attempting to undermine the auditor.

Minister, I would suggest to you that if we're to have confidence in Mr King, the confidence which you express today, and if we are ultimately to have confidence in the Workers' Compensation Board, Mr King has to acknowledge the full consequences of his irresponsible remarks. He has to apologize without qualification. I ask you, and in turn ask you to ask the Premier of this province, will you ask Mr King to apologize fully, completely and without qualification, and if you will not do so in a way that removes any question about the Provincial Auditor's integrity, will you ask for Mr King's resignation?

**Hon Mr Mackenzie:** I think Mr King has apologized for any misunderstanding and I notice that he's also to appear before the committee again in two or three weeks' time. I can't understand the kind of hatchet job I see going on here today by the member of the opposition.

**The Speaker:** New question, leader of the third party.

**Mr Michael D. Harris (Nipissing):** My question is to the Premier concerning the same matter. This morning, Premier, WCB vice-chair Brian King wrote to the Provincial Auditor in response to allegations that he had misled a legislative committee. Mr King said in the letter, "I apologize for any misunderstandings," ie, "I'm sorry that you were so stupid, Auditor, to misunderstand what I said." That's not an apology, number one.

Secondly, it's not about misunderstandings. This is about a senior civil servant of a crown corporation misleading a committee of elected representatives, and by misleading elected representatives, he is misleading the public. The only role the auditor had in this was to point out that he had misled the committee, but the serious

matter before us is, he did mislead the committee, and that is not in dispute.

Premier, given that he has not denied the auditor's allegations that he misled the committee, he has not apologized to the committee, two months have gone by, he's made no attempt to set the record straight on the misinformation that was given, will you today insist on his resignation?

**Hon Mr Rae:** Again, I'll refer that to the Minister of Labour.

**Hon Mr Mackenzie:** It would seem to me that the place to get the answers to some of the questions the leader of the third party is raising is before the committee when Mr King appears before it again in a few weeks' time. That makes sense to me, rather than the kind of comments that are being made here, because he has sent a letter apologizing for any misunderstanding. I really don't know what else the member wants.

**Mr Harris:** By way of supplementary, it makes no sense to me that two months after he misled the committee, and it has now been acknowledged and the auditor has pointed that out, he made no attempt to apologize to the committee, to correct the record, to give the right information. Yes, he's coming before the committee, because the committee demanded that he appear. He didn't volunteer. He didn't ask to come.

Minister of Labour, now that I'm on to you, you personally wrote to the CFIB and you said this: "In my view, the auditor's report confirms that the WCB made a sound investment when it decided to relocate its head office to Simcoe Place." From this letter, Minister, it is clear that you have bought into Mr King's misleading information as well, and you now, as a minister of the crown, are disseminating that information erroneously to the public, to CFIB, to everybody that you're writing to and we now know from the auditor that this was misleading information.

1410

I ask you this: If you'll not sack this guy for misleading the public in a committee of the Legislature, will you not sack him for misleading you?

**Hon Mr Mackenzie:** It would be interesting to maybe make the comment that the first briefing that we had on this issue was from a previous chair of the board, Mr Elgie, and another one of the board members who made this recommendation almost three years ago. I did not think he was misleading us at the time, and I reject the allegation, that I have bought into any misleading information, from the leader of the third party.

**Mr Harris:** I'm not interested in what happened three years ago; I'm interested in this: A senior civil servant misled a committee of the Legislature two months ago. No apology, no acknowledgement of that; an acknowledgement to the auditor in a backhanded kind of way. This goes to the very heart, the very core of democracy. This is what the election was about two days ago, how politics is done, how arrogant majority governments do whatever they want, cover up things they want, get the majority of the committee members to mug the committee, prevent any further discussion.



If you're defending Mr King, it begs the question that you were involved as well. You are clearly disseminating information out to CFIB based upon a false premise. This mess stinks.

Can you explain to me, given all the information that is out there, why you have attempted to block any discussion of this with your committee members, why it took the auditor to finally come public and point out that the committee had been misled, and in light of all this information, why this man you have confidence in gave you misleading information in your correspondence, why there's been no apology to you, to the committee, to the Legislature, to the public and no attempt to set the record straight? Is that acceptable behaviour for you?

**Hon Mr Mackenzie:** I do want to say that I noticed that the government members supported the motion to have Mr King back before the committee and I think that's the time and place for the member to raise his questions.

**Mr Harris:** I don't think you get it. I don't think your Premier, your cabinet have got what the public of this province are saying about the way you and your administration are doing politics in this province.

#### ASSISTED HOUSING

**Mr Michael D. Harris (Nipissing):** I have a question to the Minister of Housing. Two weeks ago today, I asked you about a housing project at 10 Ashdale Avenue in Toronto. In case you forgot the picture, here it is, so everybody can see 10 Ashdale Avenue. That was two weeks ago. The province is shelling out \$1,418 per month per apartment, in an area where you can rent a comparable two-bedroom apartment for roughly half that amount.

Since this project was approved by the Liberals, as you keep pointing out, you said you needed time to report to the House. Can you, then, tell me today, two weeks later, whether you think, regardless of who started this policy and this project, it makes sense to spend twice as much for this type of government housing project when we could help twice as many families by providing that amount of money as shelter subsidies in existing apartments?

**Hon Evelyn Gigantes (Minister of Housing):** In the absence of the leader of the third party last week, I did table all the background information from the file on this project. As he mentioned, he had raised the question about the cost of the project. It was one which was completed in the late 1980s and it was one in fact where two old units were purchased and converted into two-family units. It was an expensive project and in fact in today's housing market, it's not the kind of project which would be undertaken.

**Mr Harris:** I know all the facts; I've got all the information. I'm asking you whether you think it makes sense.

Minister, let me give you another example today. This time the property is just off Murray Street in Brampton. The portion of the monthly rent for each of these six townhouses that the taxpayers pay is \$1,635 per month; that's the taxpayer rent payment. According to the

managers of this property, there are no special amenities, no assistance for people who live here, no special housing for the handicapped.

Now, listen to what we can rent in Brampton today. For \$875 a month we can rent a three-bedroom upper semi, four appliances. We can rent a four-bedroom semi, two baths, four appliances, finished basement, not row housing but a semi; that's for \$1,150 a month. We can rent a three-bedroom finished apartment with appliances, near schools, for \$995 a month.

At a time when there is so little money available to help needy families, why are you wasting far more money on this type of housing when we could be helping twice as many families? Why are you continuing to do this?

**Hon Ms Gigantes:** I will be glad to examine the file on the particular project the member is looking at. He will know that there are hundreds, indeed thousands, of non-profit housing developments across this province, so I'll not necessarily be familiar with all the details of any particular project. I would suggest to him that if he were to compare the purchase of a home with the rental of a home in any major urban centre in this province, he would be paying more for the purchase of a home.

I want him to understand—if I keep repeating it to him, eventually I'm sure it'll come through—that the investment made in non-profit housing is, over time, an enormously cost-effective investment on behalf of the public of Ontario. The asset that represents is one which will remain available to the use of the public of Ontario and assist us in dealing with a very serious housing problem among people in Ontario.

**Mr Harris:** All the figures we give you, you know, come from your ministry. You can check with your ministry for the figures. You'll find that they're the same ones they give me. I assume they don't send out misleading information, as does WCB. One example might be a fluke; two could be a coincidence; I've raised three in the last month alone. I raised examples last year in Wawa before they were built and you had a chance to stop the waste. This is a trend. The policy of government-owned housing that you took over from the Liberals is costing taxpayers billions of dollars.

Now you tell me long-term. You know that respected studies estimate that the existing units, either built and that you inherited or planned by you, will cost, after averaging in over 50 years, even after the mortgage is paid off, \$2 billion a year more than if you simply provided shelter subsidies on existing units. Over a 50-year period \$100 billion more will be spent following your policy long-term than following what we are telling you that you should be doing.

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How many more examples do I have to bring to your attention of an absolutely wasteful, failed Liberal housing policy that is leading to the bankruptcy of this province and destroying the opportunity for many more families to get the kind of assistance we could provide? How much longer?

**Hon Ms Gigantes:** The leader of the third party can

make what comments he wishes about the Liberal administration of the non-profit housing program; the administration by this government is a good deal different. In fact, the non-profit housing program is operating in quite different circumstances, because costs have gone down. The capital costs of investments in non-profit housing have gone down significantly.

The report on which the leader of the third party is basing his allegations that in the long term the non-profit housing program is not an effective or cost-efficient kind of program for us to be carrying on in the province of Ontario is based on assumptions which are just absolutely not acceptable. If he would like to sit down with the Ministry of Housing and discuss how we use the same assumptions and come to different conclusions, quite reasonably, we'd be glad to provide him with that information.

What he is suggesting is that we stop all non-profit housing programs in this province, like the government in Ottawa to which he was related did. We reject that. We find now that in the private rental market in Ontario about 37% of the households are already paying their rent bills with social assistance money. How much more does he want to put into paying private landlords when we don't get access to a public asset which can go on for decades in terms of providing cost-effective housing in Ontario?

#### CHILDREN'S SERVICES

**Mr Charles Beer (York North):** My question is for the Minister of Community and Social Services. At the beginning of my question I want to express what I can only call outrage that the minister did not make a statement in this House today with respect to the whole question of user fees. He chose instead to drop on my desk, and presumably that of the critic of the Progressive Conservative Party, a change in the government's position on this important issue on a day when we have had groups representing children's services organizations here giving a press conference and when there will be a debate this afternoon. This letter should have been a ministerial statement in this House so that we could have had an appropriate amount of time to respond to it. Frankly, I am surprised that the minister chose that approach to take. I think it was wrong.

My question remains the same because, Minister, your letter, carefully couched as you have tried to make it, does not respond to the fundamental issues. Let me remind the minister that earlier today representatives from a broad coalition of children's services organizations held a news conference to protest this minister's plan to impose user fees, starting next Monday, November 1, on the most vulnerable in our society: children. Later today, we are sponsoring an opposition day motion which is also directed against the plan.

Minister, despite this letter which you have belatedly deposited, will you commit here and now in this House to the children of this province that you will completely withdraw your plan to impose user fees on essential and legislatively mandated children's services?

**Hon Tony Silipo (Minister of Community and Social Services):** We'll have a chance later this afternoon to

debate this more fully given that, as the member has indicated, there is an opposition day motion on this issue. I'll be happy to get into more details than the time allows during the question and answer period.

But let me just say to the member that what I think we have done as a result of the discussions that have taken place with the associations is, on the one hand, clarify that we are not talking about imposing user fees, that what we are talking about is in fact trying to sort out some greater consistency in the policy that is now being applied by some agencies, to have parental contributions in both the non-residential and residential areas of services, and making it very clear that those are where parents can contribute, and very clearly not at the basis of service being provided; in other words, that service is not being tied to the provision of those contributions.

Secondly, we have responded to the issue and the concern about the time lines by suggesting that the dollar target that had been set for this year will be reduced and that the implementation time line will start on January 1 of next year.

**Mr Beer:** All I can say is bafflegab is bafflegab. A user fee is a user fee is a user fee is a user fee. That's what this government's policy is.

Minister, at the press conference this morning, Mary McConville, who is the executive director of the children's aid organizations in Ontario, quoted directly from your own Premier's Council report on user fees as follows:

"The healthy rich thus stand to gain the most from the introduction of user charges and the sick poor stand to lose the most. Viewed this way, well-intentioned advocates of user charges seem more like the Sheriff of Nottingham than Robin Hood."

Minister, you have an opportunity to put on the mantle of Robin Hood and to say today that this whole nonsensical plan, which was brought in without any consultation whatsoever with those who are providing children's services and the young people themselves, will not go forward. Use the opportunity I am giving you here and now and say: "We are not going forward with this plan. We are going to sit down with the children's services organizations and try to see in a cooperative way how in fact we can resolve the issue."

I cannot believe that the New Democratic Party is saying that the way to go in children's services is to bring in and impose user fees, because that's what you mean by parental contributions: user fees. Minister, will you withdraw?

**Hon Mr Silipo:** Let me say first that however one might want to categorize the issue of user fees and parental contributions, and we can get into that again, I think the member across would probably be the last person in this Legislature who should be dictating to me and to others in this House on the issue of user fees.

**Hon Gilles Pouliot (Minister of Transportation):** What a weasel. I don't believe them. You've got class.

**Hon Mr Silipo:** If I may be permitted to just read back a few words that might be familiar to the member, they go as follows:



"The reform of long-term care is an opportunity to develop a consumer charging policy that is both compatible with service objectives and contributes to the cost of providing services. People will continue to pay all or part of the cost of some services."

That's in a document entitled *Strategies for Change*, which went out in 1990, dealing with comprehensive reform of Ontario's long-term care services, signed among others by Charles Beer, the then Minister of Community and Social Services, so he's the last person I'm going to take lessons from on this issue of parental contribution.

What we are doing in this area is trying to implement not a system of user fees, which as I understand it is tying the provision of a service to the payment of a fee, but saying that if in the range of ways in which we are trying to look at how we can use the dollars most effectively there is a way parents can contribute to some extent to some services and that contribution is not tied to the delivery of service, in fact that thing can be done.

**The Speaker (Hon David Warner):** Will the minister conclude his response, please.

**Hon Mr Silipo:** Where that is impossible, we will be very clearly saying to the agencies that those dollar savings can come from other areas. That's what we're saying to them now.

**Mr Beer:** On a point of order, Mr Speaker: What the minister's just referred to has nothing to do with the provision of children's services and he knows it. He is attacking the most vulnerable—

**The Speaker:** The honourable member knows that he does not have a point of order. New question.

**Mrs Barbara Sullivan (Halton Centre):** On a point of order, Mr Speaker: Will you ask the Minister of Transportation to withdraw his characterization of the member for York North as a weasel?

**The Speaker:** Order. To the honourable member for Halton Centre, indeed, if I had heard the word which she claims was used, I would have asked the member for Lake Nipigon to withdraw.

**Hon Mr Pouliot:** I will take responsibility for the excess in terms of language with a great deal of pleasure, if you only knew, for I have too much respect for the members in this House. Therefore, I will withdraw the word "weasel."

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#### JUSTICE SYSTEM

**Mr Robert W. Runciman (Leeds-Grenville):** I have a question for the Attorney General. It's related to a man who was before a bail hearing with a justice of the peace in Hamilton on August 17, 1993, charged with sexual interference with a 13-year-old boy, anal intercourse, forcible confinement and also breach of probation. Probation dealt with a previous conviction involving sex with a minor.

Minister, your crown referred this individual to the Hamilton Psychiatric Hospital, which is a minimum-security hospital, for psychiatric assessment prior to his day in court. Subsequent to that referral, he walked out

into the public and the very next day was charged with the sexual assault of a six-year-old boy in a Hamilton public school.

Minister, why would your crown send a man, a convicted paedophile whom the police didn't want out on bail, why would your crown send such an individual to a minimum-security hospital where he simply walked out and once again attacked an innocent young child?

**Hon Marion Boyd (Attorney General):** I have been made aware of the case and I share the member's concern. I do not know why the referral was not to a more secure forensic unit such as that at the St Thomas Psychiatric Hospital, and I have asked the ministry to look into the matter and advise me as to what we can do to ensure that there is due care always exercised in these cases.

I believe, however, very firmly that in this matter, as in others, there was certainly a belief that there was a secure enough situation and a real concern for the individual that psychiatric assessment was a required part of the case.

**Mr Runciman:** The minister and her colleagues the Solicitor General and the Premier frequently talk a good game when it comes to concern about public safety, but the facts don't bear them out. Witness the Ontario parole board's revolving-door operation.

I want to say that the minister can do something very clearly in respect to this situation. We had a convicted paedophile placed in a unit which is primarily used to assess people for depression in a minimum-security facility when the Queen Street 16-bed secure facility is available 45 minutes away. St Thomas, as she mentioned, is an hour away. Under the Mental Health Act, the minister will know that any psychiatric facility can be ordered by the courts to assess patients in respect to their fitness to stand trial. Her crown could have done that.

We are told that OPSEU, the Ontario Public Service Employees Union, put in a grievance two years ago complaining about these kinds of individuals being referred to the Hamilton Psychiatric Hospital. This isn't something new, this has been around for a while and your government should have been aware of it.

I ask the minister, if she wants to do something, will she today commit herself to directing crowns to specify that violent or sexual offenders be delivered only to secure facilities for psychiatric assessment, facilities where there are at least some locked doors between such people and their potential victims?

**Hon Mrs Boyd:** I have no hesitation in saying to the member that that is certainly appropriate. However, each case is different, and it is important in each case that in directives that are given by the Attorney General to crowns, the particular circumstances and the particular issues at hand are also taken into account, as they would be by the court itself. The court accepts recommendations from the crown, but the court also makes decisions, and it is really important that we be aware that whatever the directives that might go to the crown, it does not bind the court. We need to be very clear about that.

However, I can be very, very clear with the member

that I have no problem in saying to him that I share his concern and that this is a matter that the ministry is aware of and is committed to dealing with as rapidly and as completely as possible.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr Pat Hayes (Essex-Kent):** My question is to the Minister of Health. Madam Minister, I've been approached by several pharmacists in my riding concerned about the provisions in Bill 81 which will make permanent amendments to the Ontario Drug Benefit Act.

On July 26 of this year, you assured this House that pharmacists would be fully consulted prior to any changes being made to the dispensing fees. Could you please inform the House how far those consultations have gone and give us an update?

**Hon Ruth Grier (Minister of Health):** Let me say to the member that I certainly know that members of the Ontario Pharmacists' Association are concerned about Bill 81, which is a treasury bill and a bill designed to help us meet some of our fiscal targets.

With respect to his specific question about consultations around dispensing fees, those discussions have been ongoing. The difficulty has been that earlier this year the pharmacists requested a 3% increase in their fees, and at a time when we were looking to hold the line, if not reduce the payments to people who receive their remuneration from the taxpayers, that was inappropriate. The change to the dispensing fee occurred after the pharmacists' association had decided that it did not want to sign the social contract.

I certainly have met with them. I am aware of their concern, and I remain optimistic that the pharmacists' association may well decide that for the last two years of the social contract it would like to be part of that arrangement with the government.

**Mr Hayes:** The Ontario Pharmacists' Association has proposed three amendments to section 5 of Bill 81, and the pharmacists in my riding and I'm sure all the members' ridings would like to know whether or not you accept these amendments and will therefore make changes to Bill 81.

**Hon Mrs Grier:** I'm glad to tell the member that I met about a week ago with the representatives of the Ontario Pharmacists' Association. They of course raised this question with me, and I indicated to them that I was certainly aware of their proposed amendments and would look at them with an open mind when the Treasurer came to call Bill 81 before the House.

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr Sean G. Conway (Renfrew North):** I have a question to the Minister of Labour, and it concerns the much-talked-of workplace health and safety organization. I was surprised the other night to be at a meeting in my part of eastern Ontario with various representatives from the Forest Products Accident Prevention Association, an organization that has now been subsumed under the Ontario Natural Resources Safety Association.

These men and women, representing hundreds of people in my part of eastern Ontario, were very, very angry, and in my view justifiably so, because on the

orders of Paul Forder and others at the Ontario head office of the workplace health and safety organization, any one of those employers in the forestry sector who did not have an organized business was summarily dismissed from any position on the board of directors of that sectoral safety organization.

Minister, is it the policy of your government that you cannot be a member of any board of directors in any sector in this province if you do not represent an organized shop?

**Hon Bob Mackenzie (Minister of Labour):** It's a bipartite board and it's made up on recommendations of both labour and management at the workers' health and safety agency.

**Mr Conway:** That's a very skilful non-answer. Two years ago, my colleague the member for Mississauga North in the Ministry of Labour estimates specifically questioned the then and the now Minister of Labour for Ontario, the member for Hamilton East, on this very sensitive question. Two years ago—it was June 26, 1991—someone named Bob Mackenzie said it was not the policy of the Rae government to disqualify non-union representatives from those positions.

I repeat, members of the Ottawa Valley lumber representatives have been dismissed from their positions on that sectoral safety association on the specific direction of Paul Forder, who said it is now government policy that you cannot sit on any board of directors if you do not represent a unionized, organized shop. Bob Mackenzie said two years ago that government policy would contemplate both union and non-union representatives.

What is current government policy, and what am I to say to those men and women in my part of eastern Ontario who are very committed to workplace health and safety as to whether or not they can return to those leadership positions?

**Hon Mr Mackenzie:** Once again, I will repeat what I said earlier, and that is that it's a bipartite agency and the recommendations to the board come from management and from labour.

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#### CHILDREN'S SERVICES

**Mr Cameron Jackson (Burlington South):** My question as well is to the Minister of Community and Social Services. My leader, Mike Harris, raised the question with you two weeks ago and we've raised several questions in the interim with respect to your expenditure control plan and its impact on children's services in Ontario.

As you know, there has been quite a lot of concern and in fact outrage from families who are learning for the first time that they were being called upon to expand user fees for essential services to children. An additional concern is the wholesale seizure by your government of the family allowance, or the baby bonus for want of another word, moneys that are earmarked as a trust for children, and especially vulnerable children, in this province.

Minister, I asked you on October 14 if you would get



some answers to some legal questions and in your meetings subsequent to October 14 with the user groups who are advocating on behalf of children to clarify these issues. When I read your memo today, you offer no legal clarifications. You said you would undertake to clarify them for the House. Are you ready to do that today, if not in question period in the debate this afternoon?

**Hon Tony Silipo (Minister of Community and Social Services):** I'm certainly prepared to provide some information now, and we can get into more detail in the debate this afternoon.

On the question of the family allowance, the children's special allowance, what we indicate in the letter, and this is the course that we intend to pursue, is that we will be calculating the differential in the increase, the \$33 increase in the allowance that agencies are entitled to collect.

The important thing that has to be underscored is that what we are doing here is not introducing a new practice, that agencies have been able to collect these allowances for as long as they have existed. The problem has been that some agencies have collected them and others have not. But those that have collected them have reported that amount to the ministry and each year in their budget have had deducted a similar amount. So it's not introducing a new phenomenon.

The only issue that's left on that front with respect to the expenditure control plan measure is the fact that we had very clearly overestimated the amount of money that was being collected. In other words, more was being collected than we thought. So we had to make some adjustments on that front in terms of the calculations that we would put in place. This is what we would be planning to work out with the agencies involved in terms of finding other ways in which we could make up the difference in the constraint.

**Mr Jackson:** We're talking about the seizure of \$7 million which these agencies have been collecting from the federal government on behalf of children because of their special needs and in being cared for in this province. What your government proposes to do is to say that you're going to take that money away from the agencies who pass it on directly to the children. Your intention in your expenditure plan shortfalls these agencies by \$7 million in this year, and more money next year.

You have not retracted from that position and your response today only complicates the matter, does not clarify it for these families. Your government, when in opposition with the Liberal government of the day, had some strong words about user fees and the Canada Health Act. The government insisted that, in Canada, the provinces were not to tamper with the intention of the legislation.

I'll ask you one more time for your legal understanding of the Children's Special Allowances Act, federal moneys that flow to children in need. You're about to capture those dollars and shortfall those budgets.

**The Speaker (Hon David Warner):** Would the member please ask a question, please.

**Mr Jackson:** When will you give a proper legal

answer to the questions we've raised? Frankly, Minister, I think it's illegal what you're attempting to do—and God knows it's immoral—to the children and families affected, the way you're stealing this money.

**Hon Mr Silipo:** I would find it very odd, if what we are doing is continuing a practice that's been in place for many years, probably even going back to the time the Conservatives were in power, that no agency would have, up until now, said this was something that was inappropriate or, to use the word the honourable member has used, even illegal.

There is nothing illegal, as far as we are aware, on this issue. What we are talking about is a way of calculating some allowances that agencies are entitled to collect from the federal government, which in some cases they have collected and in other cases they have not.

The honourable member also made a point about these allowances being passed on to children. Let me be clear that I think he must be mixing up a couple of different things, because these allowances are not passed on to children. These allowances are used by the agencies as part of their budget. That's why we require and want them to collect them. I think the issue of children's allowances that he's referring to is the issue of crown wards, which is another problem we are trying to deal with.

One final word: I know the member likes to continue to harp, as others have done, on the question of user fees. In my view, what we are doing is not instituting a user fee, because a user fee ties the provision of a service to a fee that people have to pay. What we are talking about here is looking at instances—again, this is happening now—where parents can contribute in some small way—

**The Speaker:** Would the minister conclude his response, please.

**Hon Mr Silipo:** —to some of the services that are provided. That's very different from a user fee.

#### ASSISTED HOUSING

**Mr Rosario Marchese (Fort York):** My question is to the Minister of Housing. Madam Minister, the Alexandra Park community is one of more than 100 Ontario Housing Corp communities in Metro Toronto which house about 110,000 people. This housing stock is aging. Repairs take too long, and residents still lack meaningful input in how their housing is run.

Mr Sonny Atkinson, the president of the Alexandra Park Residents' Association, a 20-year community member, and many other residents of Alexandra Park have long advocated tenant self-management in response to these deep-seated problems. Last week I attended a meeting with residents where they voted to explore self-management. My question to the minister is, will you support them in their call for self-management?

**Hon Evelyn Gigantes (Minister of Housing):** The member for Fort York mentions Mr Sonny Atkinson, whom I've had the pleasure of meeting myself, and the fine work that's been going on in the Alexandra Park community. In fact, the Planning Together process, which we initiated just about a year ago in Ontario Housing Corp communities across the province, is one which is

intended to support tenants' involvement in decision-making within their own communities, and we are indeed extremely supportive and offer every encouragement possible to have tenants involved in the decision-making.

**Mr Marchese:** The Ontario Housing Corp is currently reviewing its governance, and I understand that self-management will be considered under a new governance strategy. Minister, what will you do to ensure that self-management will be one of those options available to tenants and local housing authorities, and will you ensure that this option will be placed on the table soon?

**Hon Ms Gigantes:** There are many levels of involvement by tenants that are possible within Ontario Housing Corp communities. They range from advisory committees to committees which would actually be given a budget and allowed to make all the decisions for the operation of the community, right through to some suggestions we've had that in fact the ownership of the community could change, for example, in the formation of a co-op group.

As I understand it, the Alexandra Park proposal is in the middle range in which tenants would be looking for control of their own budget and decision-making of their own budget. I understand also they have received approval in principle from Metro Toronto Housing Corp to do that, in which case they have all the clearance they need to go right ahead, work with the Metro Toronto Housing Corp and go ahead and move to the kind of self-management they're talking about.

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## PETITIONS

### VITAL SERVICES FOR TENANTS

**Mr David Turnbull (York Mills):** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas tenants suffer undue hardship when landlords break an obligation to provide vital services such as electricity, gas and hot water; and

"Whereas most municipalities are not fully empowered to compel such landlords to rectify the matter;

"We, the undersigned, hereby request that the government of Ontario enact David Turnbull's private member's bill, An Act to amend the Municipal Act in respect of Vital Services Bylaws, to give Ontario municipalities the authority to quickly restore vital services to occupants of rented premises when landlords fail to do so."

This is signed by hundreds of people from my constituency. I too affix my signature to it.

### TUITION FEES

**Ms Jenny Carter (Peterborough):** I have a petition.

"To the honourable provincial Parliament of Ontario, in Parliament assembled:

"The petition of the undersigned students of Sir Sandford Fleming College, Frost campus, who now avail themselves of their ancient and undoubted right thus to present a grievance common to your petitioners in the certain assurance that your honourable House will therefore provide a remedy, humbly sheweth:

"Whereas the government of Ontario has decided to increase post-secondary tuition;

"Whereas Ontario residents deserve high-quality,

affordable and accessible education;

"Wherefore the undersigned, your petitioners, humbly pray and call upon the Parliament to urge the government of Ontario to repeal its decision to increase tuition, or at the very least freeze tuition at current levels.

"As in duty bound, your petitioners will ever pray."

This petition is signed by over 300 students of the Frost campus. I am presenting it in the absence of a member for Victoria-Haliburton.

### CASINO GAMBLING

**Mr James J. Bradley (St Catharines):** I have a petition signed by a number of people here. I don't know if Steve Langdon's name is on it, but I'll read it anyway. It says:

"To the Legislative Assembly of Ontario:

"Whereas the Christian is called to love of neighbour, which includes a concern for the general wellbeing of society; and

"Whereas there is a direct link between the higher availability of legalized gambling and the incidence of addictive gambling (Macdonald and Macdonald, Pathological Gambling: The Problem, Treatment and Outcome, Canadian Foundation on Compulsive Gambling); and

"Whereas the damage of addiction to gambling in individuals is compounded by the damage done to families, both emotionally and economically; and

"Whereas the gambling market is already saturated with various kinds of government-operated lotteries; and

"Whereas large-scale gambling activity invariably attracts criminal activity; and

"Whereas the citizens of Detroit have since 1976 on three occasions voted down the introduction of casinos into that city, each time with a larger majority than the time before;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario cease all moves to establish gambling casinos."

I affix my signature to this petition, since I agree with its contents.

### TAX EXEMPTION

**Mr Bill Murdoch (Grey-Owen Sound):** I have a petition to the Legislative Assembly of Ontario:

"Whereas museums are an essential part of the community, serving to preserve heritage and educate the public; and

"Whereas municipal governments should be empowered to provide automatic support for museums by enabling them to pass a bylaw exempting particular museums from municipal and school board taxes;

"We, the undersigned, petition the Legislative Assembly of Ontario to support Leo Jordan's private Bill 46, An Act to amend the Municipal Act to provide for Tax Exemptions."

### DENTURE THERAPISTS

**Mr Noble Villeneuve (S-D-G & East Grenville):** I have a petition here to the honourable Lieutenant Governor and the Legislative Assembly of Ontario:



"We, the undersigned, beg leave to petition the Parliament of Ontario and respectfully submit that a denture therapist should be allowed to supply, repair and adjust partial dentures and deal directly with the public without the necessity of supervision by a dentist.

"We, the undersigned, petition the honourable members of the Legislative Assembly of Ontario to support and pass the appropriate bill in its entirety."

I've signed the petition. There are almost 700 names here.

#### SCHOOL FACILITIES

**Mr Kimble Sutherland (Oxford):** Last Friday, four members of the student council of St Mary's high school and one of the teachers came into my office and presented me with a petition. The petition has 270 names on it. It says:

"We, the undersigned, are requesting that the Oxford County Roman Catholic Separate School Board approach the Ministry of Education to secure an allocation for a new site and facility for our students. The present facility is inadequate."

#### TAX EXEMPTION

**Mr Chris Stockwell (Etobicoke West):** I have a petition to the Legislative Assembly of Ontario.

"Whereas museums are an essential part of the community, serving to preserve heritage and educate the public; and

"Whereas municipal governments should be empowered to provide automatic support for museums by enabling them to pass a bylaw exempting particular museums from municipal and school board taxes;

"We, the undersigned, petition the Legislative Assembly of Ontario to support" the able-minded honourable member "Leo Jordan's private Bill 46, An Act to amend the Municipal Act to provide for Tax Exemptions."

I will put my name to this and give full support to the able-minded and honourable member, Mr Leo Jordan.

#### POLICE SERVICES

**Mr Larry O'Connor (Durham-York):** I'm bringing this petition forward on behalf of my constituents who are concerned about the preservation of law and order in their community. The residents are concerned about an article which appeared in the September 14 issue of a local newspaper in Brock which threatened that the residents of Brock might lose their local OPP station.

"Whereas the Beaverton OPP station has been a long-standing integral part of the Beaverton area; and

"Whereas many officers have established permanent homes in the Beaverton area and have become a strong voice in their community, volunteer and non-profit groups; and

"Whereas the OPP station provides an economic benefit to the Beaverton community; and

"Whereas the OPP station provides a much-needed policing presence;

"We, the undersigned, petition the Legislative Assembly as follows:

"We demand that the government of Ontario maintain

the OPP station in Beaverton, as closure would be detrimental to the interests of the security, safety and wellbeing of all Brock township residents."

I fully support this and affix my signature to it as well.

#### TAX EXEMPTION

**Mr Leo Jordan (Lanark-Renfrew):** I have a petition to the Legislative Assembly of Ontario.

"Whereas museums are an essential part of the community, serving to preserve heritage and educate the public; and

"Whereas municipal governments should be empowered to provide automatic support for museums by enabling them to pass a bylaw exempting particular museums from municipal and school board taxes;

"We, the undersigned, petition the Legislative Assembly of Ontario to support Leo Jordan's private Bill 46, An Act to amend the Municipal Act to provide for Tax Exemptions."

I would like to point out to you that the people, the taxpayers, have gone around and collected 256 signatures on this petition because they feel so strongly about protection for the museums.

#### OPPOSITION DAY

##### CHILDREN'S SERVICES

Mr Beer moved opposition day motion number 2:

Recognizing that, since taking office, the NDP government has consistently mismanaged the delivery of children's services and is now downloading the province's financial problems on to the most vulnerable in our society, children, through the lack of any clear direction for children's services including child care and the introduction of user fees for non-residential children's services delivered under the Child and Family Services Act;

And whereas we have yet to see a comprehensive plan for the delivery and integration of children's services including child care, and those services funded through the Child and Family Services Act;

And whereas this government promised to reform our existing child care system and better integrate services needed by children and their families;

And whereas this government has not presented any plan regarding children's services;

And whereas the government has not presented a plan that provides a clear direction for child care;

And whereas those who deliver services funded through the Child and Family Services Act were not consulted prior to the decision to generate revenue through user fees for children's services funded under the Child and Family Services Act;

And whereas parents and children who will be affected were not involved in consultation prior to the NDP government's decision to introduce user fees for children's services;

And whereas no attempt was made by the Ministry of Community and Social Services to collect information from the agencies involved regarding their ability to generate and collect such fees;

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And whereas it has been determined that the Ministry of Community and Social Services has in fact miscalculated the ability of the agencies affected to generate the expected revenue;

And whereas MCSS officials have indicated that no specific formula was used to arrive at the figures of \$4.3 million for the year 1993-94 and \$6.7 million thereafter;

And whereas the NDP government has not established a province-wide policy regarding user fees for similar services obtained by adults through any other ministry;

And whereas the NDP government acknowledged during the social contract negotiations that the agencies funded under the Ministry of Community and Social Services should be allowed certain exemptions due to the essential nature of their services;

And whereas the NDP government acknowledged during the social contract negotiations that the agencies funded under the Ministry of Community and Social Services (including child care and children's services) are vulnerable agencies in light of the increased demand for services and the low wages of staff;

And whereas it is known that the families and individuals needing the services funded under the CFSA are those least able to pay and also those who will be most intimidated by an application process;

And whereas it is estimated that over 80% of those affected presently live under the poverty line;

And whereas the services are essential,

Therefore the Liberal caucus calls upon the government to immediately table in this House a comprehensive plan for the delivery and integration of children's services, withdraw from the decision to introduce user fees for children's services funded under the CFSA immediately, and present a plan for the reform of our existing child care system.

**The Acting Speaker (Mr Noble Villeneuve):** All recognized parties within the Legislature will share the time evenly.

**Mrs Yvonne O'Neill (Ottawa-Rideau):** I'm happy to rise today to participate in this important debate on the opposition day motion brought forward by my leader, Lyn McLeod. In my role as opposition critic for the Ministry of Community and Social Services, I am confronted almost daily with examples of this government's continued mismanagement of the social assistance system in this province. Parents, family members, care givers, front-line workers and care recipients have all shared their growing frustration as they try to cope with the personal difficulties in the face of government cutbacks which are arbitrary and often considered punitive.

The agencies' figures tell us that there are 13,000 children in care in Ontario, 10,000 of whom are in children's aid ward situations. In this press conference this morning, Ontario Association of Children's Aid Societies executive director Mary McConville said, "The application of user fees on citizens who need the public services offered by the Association for Community Living, young offender services, children's mental health

centres, maternity homes, children's aid societies and others will at best be a regressive taxation of Ontario's poor." Those associations—community living, young offenders, children's mental health centres, children's aid societies—are the people we are talking about this afternoon.

"These people are the most vulnerable of our citizens," Mary continues, "who are facing serious and sometimes life-threatening crises, severe unemployment and financial stress." She went on to quote the Premier's Council on Health, Wellbeing and Social Justice, as the member for York North stated during question period: "The healthy rich thus stand to gain the most from the introduction of user charges and the sick poor stand to lose the most," and this is at the hands of an NDP government.

We are here today to talk about the latest policy initiative of a very important portfolio, the introduction of user fees for non-residential children's services which are delivered under the Child and Family Services Act, an initiative undertaken without research and with no input from the public. These measures will have a very serious impact on one sector of one ministry, a very focused group of agencies that serve the most vulnerable children in our society.

I have to ask myself, as others are asking themselves, why this government would take these punitive measures against children. Parents and front-line workers are asking: "Why target children's services in the Ministry of Community and Social Services? Why target counselling? Why target services for youth in secure custody? Why target parental support in the care of disabled children?"

I've been a teacher and a school trustee. I'm the mother of three and the grandmother of one. I spent much of my life living with and learning about children. It's an oft-repeated truism that our children are our best investment for the future, indeed for the future of our country, for the future of our families, for the future of our world. In fact, it has become almost a cliché in the statements of this government. This policy proves, however, that once again the words and music do not match.

I'd like to quote from a long-respected document and one of my favourites, *To Herald a Child*. In this wonderful report, Mr LaPierre shares his joy as he enters the world of children. He said:

"It was a marvellous discovery—the discovery of the universe of children.... I was dazzled by the variety of activities and endeavours of children. Their creativity and concerns both enchanted and humbled me. The vibrations of affection they sent my way filled me with joy, while the complexity of their tasks made heroes out of them.

"Slowly and gradually I began to sense, to feel, to know a world the simplicity of which I had taken for granted all these years. I thank the children."

Mr LaPierre goes on to talk about Ontario's "other" children:

"There are children in Ontario who have particular needs beyond those characteristic of all children.... They are my special children...who could be mentally retarded, physically handicapped, or have learning difficulties....



[They have] the same rights as any other child but [they have] special needs: the need for an early identification of difficulties, the need for uninterrupted educational experience, the need for special assistance to carry out personal tasks, the need to be with...peers in a child's regular environment should his" or her "handicap or disability permit."

It is from these "special children" we have just heard described so eloquently and their parents that the NDP government wants to collect user fees to solve the problems created by three years of fiscal mismanagement. The minister has not yet, even with today's letter in hand, given the parents or the front-line workers of this province or indeed the members of this Legislature any idea of what services will have to be paid for by the parents. Will it be children's protective services or mental health counselling? Who knows?

The fact that parents and care givers were not consulted prior to the decision to generate revenues through user fees for children's services is simply inexcusable. This government's record on consultation continues to deteriorate. In fact, I think the better word is "disappear."

The agencies which serve these children are only now being asked to provide data on what is possible, and yet we're told and we know by today's letter that these targets have already been established and the policy has already been determined. A front-line worker compared this to an employer asking that \$10,000 be taken from the employee's salary, and then asking the employee, "How should I do that?"

Again today, with this last-minute letter that was dropped on our desks as question period began, agencies are being asked to assist in a process that from the very beginning, in the middle of the summer, has been disorganized, inconsistent, unsatisfying, lacking in framework and, may I say, particularly lacking in leadership and focus.

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Parents and agencies are telling us that there is simply no money in their pockets and no money in their budgets to generate and collect user fees to bail out this Treasurer. They further tell us that collecting the federal child benefits to make up the extra money is not feasible because in most cases that is already being done.

If the government takes the time to really investigate, not just collect data on a form that's been recently distributed, if the government really takes the time to involve the people who deliver these important services on the front line, if the government takes the time to really talk to the parents and children who use them, the minister will be able to make an informed judgement.

I challenge the minister to do that today, not to shuffle off his responsibility as he's been doing for the last few months to the bureaucracy and the ministry, but to apply his time to this important issue. The minister then would be able to hold his information up to the scrutiny of those who provide the service and to the children and parents and families who depend on these crucial services on a day-to-day basis.

We have no idea where the government numbers come

from; absolutely none. Today we're told the target is going to be lowered. Lowered to what? Beginning from what? At the moment, we're presented with the following figures: \$4.3 million for the rest of this fiscal year; \$6.7 million on an annualized basis in cash contributions to be made by parents—by parents, I repeat—towards non-residential services for their children in need. The memorandum from the deputy minister indicates that the plan is to retrieve, through user fees, some \$11 million over the course of the next two years.

Agencies are being asked, after the fact, to help the government decide which of the essential services to cut. Then with the implementation date now being deferred perhaps to January 1, perhaps later, they're being asked to prepare to administer this whole process of user fees in which they have absolutely no experience.

This new revenue source is to come from all children and family service categories, including young offender services, including services to children with developmental disabilities. These user fees target vulnerable children. Vulnerable children are targets of user fees.

During the social contract process, the NDP government acknowledged that the people served by the Ministry of Community and Social Services were indeed different, were indeed increasing more rapidly than other needs within our system, and there were daily demands on services, services of a very important and crucial nature.

Very early on, I may say, this sector was recognized as the most underfunded, poorly resourced and poorly paid sector in the whole social contract process. Their expected contribution to the social contract was lowered almost immediately from \$30 million to \$10 million in recognition of the very real limitation to the cuts that could be made in services that were provided by this sector.

We are told that even this reduced contribution has resulted in the reduction of staff and services in many, many of the agencies, and I'm sure most members of the Legislature have in one way or another been made aware of that fact. Now this government, in its routinely contradictory manner, has returned to this sector that it recognized as being vulnerable. They have returned to get blood from a stone.

We have been told by the agencies involved that the impact of this user fee collection policy will be almost double the impact of the social contract to the sector. How contradictory. How illogical. These families and individuals come to the ministry for assistance because they cannot provide for the special needs of their children. We know in fact that 80% of the parents and families that the government is asking to pay for services are already living below the poverty line. If this was not so sad, it would be almost ridiculous.

Like all other parents, the parents of special-needs children have to provide clothing, food, transportation, school supplies, dental care and all the other ordinary necessities for their children. Even in the case of children in care, many of the parents and families already make in-kind contributions. Whether it is through their OHIP plans or whether it is through providing transportation,

they make contributions to the necessities of their children.

The parents of special-needs children, as the phrase itself indicates, often require more transportation to medical appointments, assistive devices, home improvements to accommodate a disability and often greater personal care expenses, and the list goes on.

I ask, what has the minister had to say to these families? On October 7, the minister stated that these "cost-containment"—isn't that a wonderful phrase?—measures would make the system both "more accountable and fair." He said, "We are being very sensitive to the comments that people are making to us around this" issue. Sensitive? We don't know where he's going, we don't know his time lines and now today we don't even know what the targets are.

When my leader, Lyn McLeod, asked the minister on October 7, three weeks ago, to share with us some of the details of "exactly what children's services these user fees are going to be imposed on and what guidelines his ministry has now put in place in order to establish user fees for such services as counselling abused children, therapy for children with learning disabilities and a host of other services that are needed by children across this province," the minister could only say in response, "The decision about what types of services this fee will affect has not been made." Today, weeks later—and we don't know how close the implementation is as of today—we still have no answer to the basic question, even though today we have communication from that minister in our hands.

How can the parents, who are understandably apprehensive about this whole situation, and indeed the care givers, the front-line workers, trust the minister when he will not explain what he is talking about, what his real targets are, what his real process will be and indeed what he is talking about? The minister speaks of "voluntary" parental contributions to recreational and transportation costs, but many of the agencies tell us that the cutbacks to preventive programs such as recreation are already very deep and that transportation is in many cases already part of in-kind parental contributions.

I'd like to echo the Ontario Association of Children's Aid Societies and ask the minister, as they asked him this morning, why this government would impose user fees only on children's services and not on adult services. That is a very important question. None of us who are looking at this matter can come up with any answer.

Another question posed this morning: How do these decisions reflect the government's value of children? We look at the policies of this government surrounding children and we certainly can join in with that question: How do these decisions reflect the government's value of children? What priority does this government give to the protection and treatment of children? Another very good question in October 1993.

This children's services user fee policy proves that this government has not given very much of a priority to Ontario's children. It is certainly a back-burner item. Any consideration given to the provision of children's services in the social contract negotiations has been negated,

wiped out, obliterated by the imposition of this punitive user fee. The messages are mixed, contradictory and certainly not very comfortable.

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If I may now briefly turn to the NDP government's policy on child care, a study in confusion and inefficiency, a policy on which we have had silence for over a year, the people of Ontario, most people, know that this government has budgeted \$72 million to convert child care centres from the private sector to the non-private sector. Everyone in this chamber has been presented with that statistic. This very expensive, ideologically driven policy has not created one new child care space in this province \$22 million into the project; \$72 million the target, \$50 million more to go and not one new space. While 34,000 of Ontario's children stand in line for subsidized child care, the government narrows the criteria for subsidies. This unacceptable situation results in vacancies and over 14,000 spaces on a 34,000 waiting list.

NDP child care policy is a major assault on parental choice. The policy direction that we've been talking about here this afternoon is another major assault on parental choice because it's a major assault on parental resources and parental responsibilities.

I once again quote from this morning's press conference: "The minister's financial plan for children's services transfer payment agencies is not responsible. Our safety net services which serve the most vulnerable children in Ontario must have the resources to protect and to heal hurting children and families."

As we were reminded in this House by my colleague the member for York North, last week was the Week of the Child, and this year's motto was, "Cherish the children."

I urge this government to rethink this destructive tax, and that's what it is: a tax on the vulnerable children of Ontario to fill the provincial coffers at the expense of services which are essential to their health and wellbeing. I urge the government to cherish our children.

**The Acting Speaker:** Being that time is allocated, we do not have questions or comments. Further debate?

**Mr Robert V. Callahan (Brampton South):** I'm pleased to join in this debate. It seems outrageous that we even have to debate this. I've found over the years I've run in provincial politics that when I came upon the New Democratic Party it always had this battle cry, "Make the rich pay." I have to say that this initiative and this suggestion fly so contrary to that philosophical statement that if it weren't so sad it would be laughable.

You're attacking the most vulnerable people in this province: young people. More importantly, you're attacking the most vulnerable people who are poor. You expect that by doing this you're going to be cutting back and perhaps reducing the deficit in this province. Certainly, reducing the deficit is commendable, but my God, to do it on the backs of young people, young poor people, is absolutely outrageous. I'm surprised that this government has the audacity and is not totally ashamed by what it's trying to do.



The money that you're saving now on the backs of young people, young poor people, is perhaps going to result in savings monetarily now, but down the line it will result in disaster to these young people. What you're saving now will fill our institutions, our correctional institutions, will perhaps fill the need for mental health care in the future for these young people.

Many of these young people are trapped. They're trapped in abusive families; they're trapped in sexually abusive families; they're trapped because they have a learning disability or they have some mental disability. What in fact you're doing is ensuring that they'll be trapped in there for ever. I find it absolutely outrageous that any government could have a conscience and do something like that. I urge the minister not to look at that. Children are our most precious commodity. What you're doing is denying them any future. I find that absolutely outrageous.

You people over there, for some reason, consider looking into matters, having all sorts of committees to review and discuss; that seems to be the order of the day. I suppose it creates a lot of activity among people who perhaps are looking for some type of employment, perhaps people who are associated with your government. Yet on this particular issue you did very little, if any, consultation. You simply decided, "Well, they'll be treated the same way everybody else is in this province in terms of cost reduction." I suggest to you that was a very foolish act. You didn't take into consideration for one minute whom you were taxing, the nature of that taxation on these young people and the future effects and impacts on the young people in this province.

I find it absolutely impossible that a government that said, "Tax the rich," has now changed its battle cry to "Tax those who can least afford to fight back," the children of this province.

I found it interesting, just as an aside, that children are entitled to be examined by a psychiatrist at a very large amount, sometimes between \$100 to \$150 an hour. There is no provision under OHIP for psychologists, yet in the final analysis psychologists are sometimes more beneficial to young people in terms of looking after their mental health needs than psychiatrists. I've preached that in this House many times and I don't see that the Minister of Health has changed that at all.

So what do you do? You add insult to injury by taking the children's aid societies of this province, which are mandated, required by law to look after the children who are in need, and saying to them, "On the one hand, you're required by law to do this, but we're going to cut back the money you're entitled to." I say shame; that is absolutely shameful.

Any member of the government who votes for this type of initiative should certainly hang his or her head in shame at the fact that they are doing nothing more than simply deferring the cost to the future of this province. The Attorney General and the Solicitor General and Minister of Correctional Services will find in the future—assuming you're still the government in the future, which I doubt, particularly with the insensitivity you're demonstrating in this particular policy procedure—that you're

deferring those costs down the line to be assumed in the budgets of the Attorney General and the Solicitor General and minister of corrections, perhaps even the health care system.

I find it interesting that a blue panel, or perhaps it's an orange panel, did an extensive report on user fees for the Premier's Council on Health. Yet what did you do, Minister, in terms of determining whether or not this most sensitive area could afford to take a reduction in cost? If one can say that the Treasurer, in requesting or demanding that of these organizations that deal with the poor children of our province, did it with a decent heart, I have to say to him he's Scrooge. I suggest to you that this is something I don't think the people of this province are going to stand for.

Children's aid societies raise money on their own. I'll be attending a fantasy auction which is put on by the children's aid society. They do their own fund-raising, yet the government is prepared to take away, in a sense, indirectly all of the efforts on the part of these people. There are thousands and thousands of volunteers who are involved with children around this province. You're indirectly taxing them, because what you're saying is, "Keep on collecting, keep on having fund-raisers, but that money will be siphoned off by the Treasurer of this province."

I suggest to the Treasurer that he had better take a good, hard look at this and decide that this is an exception. It's unacceptable to the opposition. It's unacceptable to any sensitive-minded provincial person in this province that they would allow you to get away with this.

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So I suggest, Minister, that you do one of two things: Place it on hold and give these people breathing space despite the fact that it may interfere with the social contract and the reductions that the Treasurer has mandated; or take a look at it, try to sit down with these people and determine just how you can do it in a way that will be least offensive and least destructive to these young people.

I find it absolutely outrageous that you would claw back something that the federal government—indirectly, you're trying to get at the federal government. You're saying, "All right, federal government," and this is always your complaint, perhaps a legitimate one in the past with the former federal government. "You're cutting back on transfer payments. Therefore, we have to make up the shortfall."

I suggest to you, Minister, that that is indirectly taking out of the pockets of the service agencies the moneys that are in fact legally theirs that are provided by the federal government and have always been provided by a sensitive, caring Canadian community to deal with people who can least look after themselves.

As was said this morning, I believe, in one of the questions and perhaps was quoted by one of the presenters at the press conference, you are in fact turning the whole principle of Robin Hood around. You are acting like the Sheriff of Nottingham and you're stealing from these people. I suggest that you look at that closely.

**Mr Gordon Mills (Durham East):** If you want to be serious, don't bring Robin Hood into it.

**Mr Callahan:** The member interjects. I don't think this is funny at all. I think it's probably one of the most serious debates we've had in this House.

It seems as though the government is just biding its time. They figure that if they bide their time and just listen to the opposition try to indicate to them how they feel and how I think most Ontarians feel, then, "Get on with it. Once it's over, we'll just go ahead and deal with it." I'll tell you, that kind of steamroller activity on the part of any government—we just saw the results of that in the last federal election. They were decimated because of that attitude, that totally, totally insensitive attitude to the people of this country, and I suggest the same thing will happen to you people.

I don't really believe that has to happen. I believe this is an issue that can be resolved. I believe it's an issue where if you really think about it, you'll recognize that in fact what you're doing is you are treating the least able people in this community to look after themselves—take the question of their access to perhaps some type of service. If the people cannot afford to pay for that, if there's going to be a user fee, they may very well decide not to take advantage of that particular service. What's the net result of that? The net result of that is there will be children reduced perhaps to the streets, perhaps reduced to the things we see in Toronto with child prostitution.

We'll see children growing up with a bad feeling for themselves because what you've done is you've denied them access at the earliest and the most sensitive times of their lives in terms of receiving that type of treatment and care and sensitivity. You may have doomed them to live in an atmosphere in their homes which is totally counterproductive, that's sexually abusive, violently abusive or whatever type of abusive.

You people seem to have money for all sorts of things, things that many of the Ontarians in this province object to, and here you are denying this money to these children, cutting back from them, cutting back from the agencies, and in fact not seeming to think it's necessary to consult with them to find out what their views are. They are the professionals, Minister.

Your bureaucrats may think when they hear the whip cracked by the Treasurer that they have to respond. Well, I suggest to you that you should be down there in the trenches personally, speaking to these people. It's your responsibility. You're the one who has to go home and live with that responsibility. You have to live with the results of it. You may never see it for 10 or 15 years, but I think you're an intelligent person and I think you can recognize that the money you save now on the backs of the poor youth of this province will in fact come back to be paid probably 10 times over in the future. That's hardly a legacy for the province of Ontario.

So I suggest that you go back to the NDP battle cry of the past: Don't make the poor pay, particularly the youth of this province, our greatest product, people who can perhaps pull themselves up by their bootstraps if they're given the proper support. You're taking those supports

away. You're in fact reducing them to the category of "Let them eat cake." That's unsatisfactory.

It's kind of along the lines of one piece of legislation that was brought before this House and then withdrawn, but I understand it may be back on the table: the question of services to the learning-disabled. You'd be amazed at the number of young people in this province who have learning disabilities. Many of them can't even find that out because they can't afford to go to the proper place to have that determination made. In the case of poor children, they in fact will be getting that type of treatment and consultation and investigation through children's aid societies.

Will children's aid societies have to defer and not have that done? Will children's aid societies just have to shut their eyes to the fact that there may be young men and young women out there who will grow up having less than the benefits of you and I because they weren't able to get an examination? Very possibly.

Will there in fact be children whom the children's aid society will not be able to investigate fully? Perhaps. Will there be children who will remain in those atmospheres for which the children's aid society was originally enacted, to take them to a place of safety when they were in need of protection? Are we in fact denying them that, Mr Minister? I suggest we are.

I give the children's aid societies great credit and I give all the other agencies great credit, because they have the tenacity and they have the devotion to try to work this out themselves, even though you're amassing great cutbacks from them. But for God's sake, talk to them. Work out something that's going to be the least offensive and the least oppressive and the least demeaning to the young people of this province. If the minister and the government of the day don't do that, then I suggest that of all the things they've done thus far that they may be proud of, they've failed totally and they've failed with reference to people who can least defend themselves.

Very often there are partisan statements from this side of the House. This is not partisan, Mr Minister. This is the reality that you're creating by not looking at this in a very different way, and by the Treasurer not looking at it in a very different way, than you do with any other organization or any other program that's going on in this province.

I suggest you think twice about it, give some thought to it, recognize that it's the little ones of the world you're in fact condemning, perhaps to a future of poverty, perhaps to a future of incarceration, perhaps to a future of crime, and I suggest you think hard about that. I think if all members of the government think hard about that, you'll urge your cabinet and you'll urge your caucus colleagues to withdraw this foolish measure and return to what I thought was once the battle cry of the NDP, "Make the rich pay." Don't make the poor little girls and boys of this province pay, not just now but for the future.

**Mr David Johnson (Don Mills):** I would like to add a few comments today, and I know my colleague from Burlington South will be speaking in considerably more detail, but I was most impressed with the statement from Mary McConville earlier. She's the executive director of



the Ontario Association of Children's Aid Societies and she made a representation on behalf of the children and the young people of this province of Ontario. Those are the people who are the topic of this particular debate this afternoon. She was representing associations such as the Ontario Association of Children's Aid Societies, the Ontario Association of Children's and Youth Institutions, the Ontario Association of Children's Mental Health Centres, the Ontario Association for Community Living, the Ontario Contract Observation and Detention Homes Association and the Provincial Council of Children's Services Coordinating and Advisory Groups.

They are most concerned, and indeed this House should be most concerned, about the mandatory imposition of user fees in the collection of children's special allowance on the most vulnerable people, the children of the province of Ontario. I share and my caucus shares the deep concern that she has expressed in that regard.

She's pointed out that the recession over the last few years has taken its toll in particular on the children and families, and thousands of children indeed are on the waiting lists for children's mental health services and the children's aid societies. Unfortunately, because of the shortage of funds, some doors are having to be closed.

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Earlier in a conversation, I've been made aware of children at an early age of two to three years old who unfortunately have witnessed conflict within their families and as a result have behavioural problems, and these are the perhaps 7,000 children who are on the waiting list for some sort of assistance. I think, frankly, the government's initiative should be directed in that regard rather than in terms of collecting the fees.

I would like to speak about one other specific area of services that really concerns me with regard to the young people of the province of Ontario in my period of about 10 minutes, I believe, that I have to speak.

The provision of day care services in Ontario, as with all other services, must be delivered in a well-managed and cost-efficient manner. Unfortunately, today the method of delivery is being shaped by political ideology, and consequently it is not being delivered to meet the needs of the children or the parents or the taxpayers of this province.

**Mr Larry O'Connor (Durham-York):** That's easy for you to say.

**Mr David Johnson:** That's easy for me to say, I know. But the problems are not recent, and I must say, speaking on behalf of Metropolitan Toronto and as a member of the Metropolitan Toronto council, I can remember back to 1987 and 1988 when in Metro Toronto we were attempting to deliver children's services, day care services, at a most efficient rate for the taxpayers of Ontario. We had deputations before us pleading with us to meet the need for day care services within Metropolitan Toronto, and there literally are in the vicinity of 30,000 families waiting today for a subsidy for day care services.

Back in 1987-88, we had those sorts of deputations and we, as a regional council within Metropolitan Toronto,

attempted to meet that need. We expanded the services. We worked as closely as we could with the Liberal government of that day, I must say, and yet there was a problem that developed. The problem pertained to the funding of day care in Metropolitan Toronto, and there was an impasse.

That impasse developed around the number of day care spaces that would be funded by the provincial government of that day. They were unwilling to fund the number of spaces that Metro had put into place. They were also unwilling to fund some of the additional administration costs associated with the day care program and they were unwilling to fund some of the pay equity initiatives that Metropolitan Toronto put forward.

As a result, the Metropolitan corporation had to pick up the full tab for \$6.5 million worth of day care services that the Liberal government of that day, back in 1988, would not recognize. The municipal property taxpayer had to pick up that tab.

The Liberal motion that's before us talks about downloading. I can tell you as a member of the regional council in that day and age that we felt the severe impact of downloading from that government on to the people of Metropolitan Toronto the shortfall of \$6.5 million. What happened was that this shortfall, year in and year out, has carried on to different degrees such that today the accumulated shortfall in the provision of services in day care in Metropolitan Toronto is \$12 million.

The \$12 million should be shared on a formula basis: 50% from the federal government, 30% from the provincial government and 20% from the property taxpayers of the local council, in this case, Metropolitan Toronto. Instead, the taxpayers of Metropolitan Toronto are picking up or have picked up that full amount. That didn't start with this current government. That downloading on to the local taxpayer started in 1988 under the Peterson government.

This year the Metropolitan Toronto government is estimating that the shortfall will be another \$2.5 million, which represents about 500 spaces in Metropolitan Toronto, so there again the problem carries on.

Before my time runs out, I want to comment on the other very unfortunate aspect of the day care situation right across this province, frankly, but I'll highlight it in Metropolitan Toronto. The day care program should be tailored to meet the needs of the parents, the needs of the children, and of course it has to be affordable.

The problem that's happening in Metropolitan Toronto is that because of the philosophy of the current government, the government is attempting to force some of the providers of day care out of business. Those are the commercial operators. There are many commercial operators; about one third of the spaces in Metropolitan Toronto indeed are provided by the commercial operator.

They have provided an excellent service to the taxpayers, and they do so at a minimal cost. They provide all the toys, the equipment. I've been in a number of these commercially operated facilities and they run excellent programs. The parents often choose a commercial operation. The commercial operators are sometimes

in areas that are not served by the non-profit sector. They're handy to the residents in many cases.

In this day and age, when we are short of funds to provide services to our young people, we should take maximum advantage of all the different components, including the commercial operators. But what's happening? They're being forced out. This government has determined that private business is to be discouraged, that only the non-profit sector can provide the proper services in day care. Well, of course the parents don't agree with that. The parents willingly accept the commercial operators.

The commercial operators are being forced out in a number of ways. One is that the subsidies are now being directed only towards the non-profit sector, no longer to the commercial sector. Secondly, what they call direct operating grants, grants directly aimed at the employees as a wage subsidy, are only fully eligible for the non-profit sector. In the commercial sector, those in operation before 1987 are eligible for a 50% grant and those after 1987 are not eligible for any grant, so the financial pressure is on.

Other grants for toys and equipment and startup costs are only available to the non-profit sector and are not available to the commercial sector. Pay equity, which is more than likely being forced on the day care operators early next year, will have a tremendous impact on the commercial operators. They are being compared to the non-profit organizations, but the commercial operators pay less in many cases than does the non-profit sector. That's how they keep their costs down, the cost to the parent; they keep it down in that manner.

But what's going to happen with pay equity is that they will be required to put many of their salaries up and it's going to increase their costs and costs to the parents. It's going to put them in an unviable situation; they're going to be forced out of business. By comparison, the non-profit organizations will get a government grant, which is not available to the commercial sector, to assist with the pay equity.

My time has expired. Just to sum up, the treatment by this government of the commercial day care operators is very shortsighted. Not only are they forcing them out of business, but they are spending millions and millions of dollars to do it, and not only will it cost to force the operators out, some \$76 million for conversion over the next three years, but the ongoing costs after that will actually be increased, and that'll mean we'll have less money to provide for day care operation in Ontario. To me, that is criminal. It's a waste of taxpayers' money.

1550

**Mr Randy R. Hope (Chatham-Kent):** I'm pleased to participate in this debate.

I have a hard time understanding where the member Mr Beer is coming from with this resolution; it talks about the consistent mismanagement of delivery of children's services. I've had the pleasure of being in that ministry for three years now, and when I entered that ministry I took a perspective and looked at my own community. They used to have at one time what was

called the Beer fund: "Don't worry about what you roll up at the end of the fiscal year. We'll reach into the Beer fund and bail you out, all the agencies in your communities."

I found it very hard to believe that this was going on in a lot of our communities, that staff was being extra-allocated but it wasn't being looked at as part of the operating budgets of those agencies, making sure they were providing services and doing it in a fiscal way.

I guess at that time, when the Liberals were in, we were dealing with good economic times and didn't have to worry about the pressures we are now faced with provincially in dealing with children's services. There have been studies done throughout this province about children's services. How many children are actually on a number of lists versus just one list? The system itself is fragmented and disordered.

I look in my own community. How many of them cooperate and communicate? I look at the agencies that provide children's services in my own community. We have a number of people who are providing services, but none of them integrate their services and work together. The system itself, from a community perspective, is out of whack. They need to work closer together.

Why do we have a director in each of the different agencies? We seem to be, as in good economic times, like firefighters out there trying to find out which one can come up with the best solution for our problem, instead of dealing with the problem at the beginning or trying to find an existing service that was already in the community and expanding its mandate and allowing it to deal with the community perspective.

This government has taken a positive approach in dealing with those initiatives. We're trying to bring those agencies together to work consistently with one another. Why is one agency doing the same as another? This is what the taxpayers have been yelling about. The taxpayers are saying: "Why is there duplication of services, not only federally, provincially and municipally, but municipally and provincially among themselves? Why are you not cooperating?"

In my own community, our children's services council has taken a positive way of trying to reduce its cost. Some of the people in our own communities say there are enough funds in our communities but what we haven't done is learned how to properly utilize those moneys and make them more effective in our communities.

When we talk about the issue being brought forward today about user fees or parental fees, whatever we want to call it, one thing is that some communities have had this in place for a number of years. It's not discrediting anybody from having the services.

I heard the member—I forget what area it was from—talking about the vulnerable people, that we're going to totally discard them and make sure they can't get services and we're going to put more and more pressure on them. That is a statement that is not factual. It is a statement that I believe is not in perspective of what we're trying to do. We understand there is financial hardship on people. This is when the services of the Ministry of



Community and Social Services are required more, when the economic situation in the province of Ontario has deteriorated.

There is a way of trying to eliminate fees out there. I believe it's a partnership that has to be created by those agencies or developed in our communities (1) to work on preventive ways and (2) to reduce our administrative level and to provide more front-line services. We will find that the moneys that currently exist in our community—I remember that the region of Peel, and Mr Beer will be able to verify this, has been talking about being discriminated against compared to Metro; that it's not getting its fair share. Then Chatham-Kent is saying, "We're not getting the same as Peel and Metro, so we're being discriminated against."

It's a very serious concern we have, because in Kent county alone we have 600 children on a waiting list for services. That is disheartening to me. That tells me I have to be proactive with those agencies in making sure those agencies (1) work together, (2) cut down administration costs and (3) provide more front-line services, and we'd cut down that list. By those three cooperative efforts, we'd find out that probably the list is only 300 because we have the same individuals on those lists more than once. It's important for us to take that proactive approach.

One of the other areas I heard the member talk about is the child care initiative. He forgot to mention that we used to have a grant called the DOG grant. I could never understand why we used "DOG" for children, but we did; it was a direct operating grant for the children.

I've heard the Conservatives say we cut the private out. In 1987 the Liberals cut the private out; they just didn't have the goal to make sure the child care system in the province was consistent throughout.

Yes, we have preferential treatment for non-profit agencies. In my own community we had the same thing, but now a lot of the private have switched over to non-profit. Our community is taking a proactive approach of putting our child care together to make sure we can comprehensively put a plan together that will deal with the community's interests—not our own interests, but the interests of our community.

Not everybody needs child care on an institutional basis. They may need children's resource centres to provide parental opportunities for parents to talk with others and at the same time allow children the opportunity. Toy-lending libraries: very positive. As we know, the financial situation faced by a lot of families mean they cannot afford the nice toys that might help advance the learning abilities of young children. A toy-lending library is going to add a more positive approach.

But what we found out is that when we have a number of agencies or a number of private, non-profit and other children's services in effect, it becomes a system that is unmanageable because it's fragmented. What we need to do is get a more comprehensive plan in place, and that comprehensive plan will come through a non-profit agency, where we can make sure the services are going to be provided for a community.

They are community-based, with community participation instead of somebody who has a private interest telling the parents what they need to know. It's the parents advising and playing an active role on the board to make sure those services, whether it's a children's resource centre or the child care centre itself and the opportunities it must provide for the children, are being inputted through the parents and through those who have a parental responsibility for making sure things happen.

In this fiscal situation we're trying to make sure, number one, that services start working together. Agencies must work together. We've tried to do that. We put out a document back in May dealing with the planning to make sure about children's services. It's important that we put in place not only child care but other services in our local planning.

Municipal governments totally forget that when we deal with child care and with subdivisions we should look at opportunities for child care as we do for a park. When municipal planners are in place, they always make sure there's a park there, but they never make sure that the people they're looking at living in those subdivisions have an opportunity to access child care in their own communities. We miss that whole opportunity.

It's important for us to bring those into perspective in making sure of child care. How do you do that? You do that through one-system child care, not through a fragmented system, and that's what the non-profit will provide us. It will also lead us into the education system. Our education system is a non-profit aspect, so what we're doing is teaching them from an early age and helping them to advance themselves in the education system.

When I hear the members say we're playing the Robin Hood approach, which was referred to today, I take exception to that. What we're trying to do is make sure that the fiscal situation we are faced with, the fragmented situation that was put in place when we had good finances in the province of Ontario, when things were good, when people were working—and then when we suffered the effects of free trade and other things, we're now having to cope with more and more of a problem that is faced not only with our adults but also with our children. This financial situation has to come from a community perspective.

The community must take a proactive approach. They are the ones who have the ability to make sure the services are there, make sure we can be in front and make sure, number one, that if the opportunities are there for parents to contribute and help provide for services, why not? For those who do not have the ability and the financial hardship, then the government must be there to make sure, because if we don't deal with them at the children's age and situation, what we're doing is leading into a larger social problem later on, and we have to stop that.

1600

So to the member opposite with this resolution, I wonder where you're coming from, number one. Number two, you knew the problem was there and the fragmented situation that was there. When you talk about the mis-

management of delivery of services, you knew it was clearly there before you even now are opposition.

When you're talking about the child care system, I believe what we're doing is the most appropriate way. Unfortunately, the Liberals in 1987 didn't have the gumption of making sure that the system was—I know they had the intent of promoting non-profit but they just didn't have the gumption to make sure they set the clear direction and take the heat that is there.

**Mr Cameron Jackson (Burlington South):** Come on, they brought in 33,000 new spaces, Randy. If you are going to hit them, hit them for something they didn't do. They did bring in 33,000 spaces; you have lost 5,000 spaces in the last two years.

**Mr Hope:** I'm listening to the member opposite from the Conservatives and I'll totally ignore him because he half the time doesn't make sense. But what is important for us here is to provide children with the appropriate services, to provide the families with appropriate services and to make sure that what we're doing is not hurting vulnerable people in our society, but at the same time making sure that we as a government have a responsibility to the citizens of this province, making sure we get our financial house in order.

**The Acting Speaker (Ms Margaret H. Harrington):** Are there further members who wish to debate this opposition motion? I recognize the minister.

**Hon Tony Silipo (Minister of Community and Social Services):** I'm glad to join in this debate. Let me just say that I will confess I was looking forward to hearing the comments of the critics, but I'll be happy to hear them, none the less, after I've made my comments.

I think one can get very wrought up about this issue because it is an important issue. I understand very much the emotions that surround an issue like this and the kind of strident positions we all take, whether we're trying to explain and defend the position or whether we're trying to advocate for a different approach to be taken.

What I'd like to do, if I may, is to talk a little bit about some of the areas that are raised in the motion before us that deal with other pieces of the children's services area, before getting to some specific comments on what I think is the immediate issue that the motion places before us, which is the effect of some of the expenditure reductions on children's services, particularly the question of the parental contribution issue.

I'll come back to the notion of parental contribution against user fees because I think it's a distinction that is important to make. Whether we agree or disagree on the issue, there is, in my view, a very clear distinction in what we're doing. I feel very comfortable in categorizing what we are doing as saying that one of the ways in which we are looking at dealing with the fiscal problem we've got in the area of children's services is by looking at the potential for some revenue to be generated through a parental contribution, which is very distinct, in my mind, from the question of a user fee.

The motion actually presents a useful opportunity for us to talk a little bit about some of the issues that affect children in this province, because the motion addresses

the whole gamut of issues, from child care to the broader issue of children's services and then specifically the issue of parental contributions. I think it's important, therefore, to talk, as various members have done, about some of those issues and to understand more fully where in fact the commitment of this government is on these issues and what in fact we believe we can do and need to do.

First of all, within the area of child care in particular, I know the motion in one of the whereases talks about the fact that, I guess in the writer's mind, we haven't done enough. All I can say is that I feel quite proud of the record we have on the issue of child care, and I feel even more proud knowing some of the work that is going on in the ministry and the potential that is there for even more to be done in the area of child care.

It's important to note that we have in the House today, in addition to myself, both the two former ministers who served in this ministry under this government and indeed the author of this motion, one of the ministers under the previous government.

I think it's fair to say that we have been working on a continuum in terms of the issue of child care development. I think it's important that we note what we as a government have been doing in this area is to work very hard to try to make some sense of where our child care system is going and to go from there, through the consultation process that we have, to be able to address, as I believe we will be able to address, some of the questions the member for Don Mills was raising with respect to the issues of affordability, the question of ensuring that we have a child care system in the province as opposed to simply a series of good child care centres and that we very much recognize in that system the need for a variety of services to be provided, from child care centres to resource centres to a variety of other supports—home care centres being another option that works for many people—and that we therefore have a system that takes into account all of those needs and delivers on those needs in a consistent fashion.

I think we also have to be prepared to talk about and deal with the issue of how we educate our children in those early years vis-à-vis the issue of caring for children. So that dichotomy or that meeting between good child care and good early childhood education is also one of the issues that I hope we will be able to respond to as we continue to do the work on the reform piece.

But as important as that work is, we have not simply said that we can't do anything until we have that package together. In fact, far from it. We have done a number of important things in terms of the expansion of the child care system even in the short term. I've had opportunities before, but I think it's useful to remind members of some of the things we have done.

We indicated that we were prepared and wanted to put into the system, over the three-year period that we've been in government and over the next year or so, 20,000 additional child care spaces under the Jobs Ontario initiatives. We've shown our ability to adapt that initiative to the kinds of real needs that are out there by taking 8,400 of those spaces and broadening the criteria under which those have been put into the system. I think it's



significant to note that in fact most of those 8,400 spaces are now in the system and being utilized and that we managed to do that in a space of something like six to seven months, which I think is something that is noteworthy and something that clearly demonstrates the kind of commitment we have beyond all of the work that we are continuing to do with the addition of capital dollars to be able to improve and expand the child care spaces that we've got in the province, and therefore with the additional spaces this is also creating and adding to the system.

We've also shown, I think, the support that we believe needs to exist for the non-profit child care centre, and we make no apologies about this issue. I know that the member for Don Mills talked about this issue, in his words, as being something that he doesn't agree with. We believe very strongly that the emphasis needs to continue to be placed on the non-profit system. We believe that child care is not something that should be continued to be encouraged as a for-profit operation, which is why we've put in dollars to assist those commercial operations that wish to convert to continue to convert. That is happening and we are seeing that process working and resulting again in an addition to the service that we provide.

We've also recognized that this is an area in which, on the pay equity front, we have to take some steps, and we are providing some significant dollars to be able to address the issue of low pay and low wages that exist for many workers in the system.

I think that with those and other measures I could go on and on at length about, we are clearly showing our commitment not just in terms of planning for the future but in a real way for the present.

1610

When it comes to the broader issue of planning for children's services, again I think it's important that we distinguish the rhetoric from the facts, because the facts are that not only have we talked about the need for children's services across the province to be in effect better planned and better coordinated, as my parliamentary assistant, the member for Chatham-Kent, was indicating earlier in his comments, but we have taken that notion, which I want to acknowledge was a notion that I think was begun, in fairness, even under the previous government in terms of the Children First report which we then proceeded to act upon and resulted in us being able to issue this document, Children's Services: Policy Framework for Services Funded under the Child and Family Services Act, which sets out a framework for how the issues of children's services need to be addressed and can be addressed in local communities.

This document, rather than simply being a document that just espouses a certain philosophy, is a document that we believe can be used and indeed is being used in local communities. It's certainly being used in the planning work that our ministry officials are doing in conjunction with a variety of agencies and community groups in developing a better sense of the needs that exist out there and how the existing services are addressing the needs that exist and where the gaps might be and what needs to be done.

This document tries to bring together all of the children's services that are funded by the ministry while at the same time providing the kind of flexible strategic planning support that is needed to ensure that children and families do benefit to the greatest extent possible from the resources that we have available so that as we make decisions about where the dollars are to be spent, we have a basis in this framework, which calls for a more cohesive and integrated system of services, again organized to respond effectively to the needs of children and families, which calls for improved access to services, which calls for a higher degree of local planning but involving ministry officials and the various organizations locally so that decisions are made much more in partnership with those who are going to be delivering the services, with the families and the youths who are receiving the services and others in the community, and with a focus on targeting better the resources that we have in the ministry.

Again, I think we could certainly all be agreeing that if we had many more millions of dollars than we do at our disposal to spend in the area of children's services, I would be the first to argue that they could be well spent and that the issue is not whether we are spending too much or not enough. I don't think there's any disagreement that if we had more money to spend, we could spend it and we could spend it well. The issue is, if we don't have more money to spend, how can we best spend the dollars that we do have at our disposal? That is just a reality that, as much as we may want to get away from it, we simply have to be able to deal with.

With those comments, I would like to come more directly to the immediate issue that I know has been troubling a number of the agencies and is the main cause of the motion that has been placed today by the official opposition, and that is to look at what we have been doing under the expenditure control plan and more particularly the question of parental contributions as they apply to non-residential services and to a lesser extent to residential services.

**Mr Murray J. Elston (Bruce):** User fees.

**Hon Mr Silipo:** The member for Bruce says, "User fees," and I know that he continues to want to impress upon me and others that in fact what we are doing is instituting user fees. I will say to him very clearly that I do not believe that is what we are doing, and I'd like to try to explain why.

**Mr Elston:** Just define it the way you want and then you're okay.

**Mr Jackson:** Spoken like a true lawyer.

**Hon Mr Silipo:** It's not a question of the words that one uses, but I think it's important to know, because as the saying goes, a rose by any other name. But I think the point is, what is a user fee and what isn't a user fee? We have said from the very beginning that what we are talking about is, first of all, starting from the realization that in this area, as unfortunately in other areas, we have to make some decisions and we've had to make some decisions as a government about how we could reduce some of the expenditures in a way that would be least harmful to the programs that are provided.

Our starting point was to, first of all, protect very strongly and to the greatest extent possible the programs that are provided under the umbrella of children's services, because like everyone else in this House, I believe very strongly that whatever we can do and as much as we can do in the area of children's services, in the whole gamut of children's services, is certainly money well spent. So nobody went at this with a view of saying, "We're overspending and we therefore need to cut back." No, the approach was simply one based on, whether we like to look at it or not, the reality of the situation, of saying, "Here's what we have to do within the confines of the overall dollars we have."

I can say to the members opposite and to the people who are here watching and listening that we were very conscious of the situation children's services were in. I think that if people were to compare the kinds of reductions we've made in this area versus others, they would see that we've been very sensitive to those real needs. Again, I don't want to try for a minute to pretend that if we did not make these expenditure cuts, the money could not be well spent. I'm sure it could be; I know it could be. But the issue is that if we don't have that money, what is it that we can do as a government and what is it that we can do together with the agencies?

What we have done, first of all, is to try to minimize the level of constraint we have talked about here. What we are talking about, I think it's important to note, is that if you look at the overall dollars we are suggesting need to be found in the children's services area, including the dollars that are to come from the social contract, the reduction of 0.75%, which is in and of itself a recognition on our part of the kind of support we need to provide to this service and to many other services that are provided through the Ministry of Community and Social Services, if we look at that in relation to some of the other reductions that were made, I think it should not go unnoticed that we are talking about something less than 3% overall, including the social contract target, and particularly in the area of parental contributions something like 1%, of the overall expenditure that is there.

I use those percentages and those numbers not as a way to turn this into a statistical argument, because it isn't a statistical argument, but because I think it's important that we have that information also on the table. I think we need to try to stay away if we can from the rhetoric of the motivations surrounding this and whether this is decimating children's services. It is not decimating children's services. While it is obviously causing difficulties for the people who have to administer, run and coordinate the programs, I think the issue is, in the kind of situation we find ourselves in is it that unreasonable that we have to look at some of these measures?

Going beyond the issue of the overall dollar cut, what is it that we have said and what is it that we are doing with respect to how this measure is to be applied? We come then to the question of the issue of parental contribution versus user fees as being one of those issues. We have said from the beginning that what we want to do is to work with the agencies to sort out the best way in which this can be implemented. There have been dis-

cussions with representatives of the various umbrella agency organizations from across the province since June of this year. Certainly, the complaint has been made that people weren't consulted before we decided to make the cut, and that's true. We did not go out and say to the agencies, "What would you like us to cut?"

I'm not sure, in fairness, whether that is something we ought to have done, because I'm not sure we can expect that agencies that are trying their best to provide services to children should be put, by this government or any other government, in the position of telling us what it is they ought to cut. Their natural, instinctive reaction would be to say: "Nothing. You ought to give us more money so we can do a better job of what we're doing."

I think the important point to note is that having made the decision, we said very clearly that before the decision is implemented, before the details are nailed down, we needed and wanted to work with the agencies to get a much more detailed sense of what the situation was and to be able to assess, as a result of that discussion, what could be done on this front. I've been saying that consistently throughout the process. I think it's important that I remind members of this, because what we have gotten to now in that process of discussion is understanding better what can and can't be done in terms of how the issue of parental contributions can be applied and therefore some changes that need to be made.

1620

We have recognized—and I have done this for some time publicly in the House and privately in a variety of discussions—that with respect to this year, because of the time lines involved and the discussions that needed to take place, it's unreasonable for us to expect we can proceed with the same dollar target that was there from the beginning. So I've indicated very clearly, both here in the House and in writing to the agencies, that we will be moving the implementation time line from November 1 to January 1 next year. This will allow for more time before the measure is implemented and also result in a reduction of the dollar target for the 1993-94 fiscal year. We will have to work with the agencies and with our area offices to determine the extent of that reduction in terms of what we can do, but do that we will. I say that with no apologies but simply as a way of recognizing that this is a result of the consultation and discussion process that has taken place.

The other important issue is the recognition we have with respect to the question of parental contribution, an issue that we need to be prepared to address head on. First of all, we have said consistently throughout this process that we are not talking about tying the payment of a fee to a service that an agency is providing. Hence, when I say this is not a user fee, that is what I am talking about. To me, a user fee is exactly that. A user fee is when you say to someone, "In order for you to get this particular service, you are required to pay this particular fee." That is not what we are doing. What we are doing is we are saying that within the whole range of services that are provided, both residential and non-residential services, there are some areas in which a request can be made to parents to see if there's a potential for some



contribution to be made. What exactly those services are and what exactly that kind of contribution might be is exactly the kind of work that we need to continue to do with our agencies.

Again, it's important that we put some of the facts on the table. This is not a new notion. This is not something we simply pulled off a shelf and said, "Hey, why don't we try this?" This is something that is happening in our children's services system now, both in the residential area and in the non-residential area.

What we have been saying to the agencies is that we want to work with them to try to sort out how we can develop a more consistent policy, not in terms of how we say to parents, "You have to provide this particular contribution," but rather, "What are the kinds of services that can be provided that aren't among the basic services we want to provide, upon which it is realistic?" based very much on the experience that many of our agencies have now, in which we can say, "Is it reasonable for there to be some form of small contribution that can be made by parents?" whether that's done as a way for parents to continue to be involved in the process of the care for their children or for whatever other reasons.

That's the kind of work we want and need to continue to do, based very much on the experiences that exist now and very clearly on the premise that we would never accept a situation or ask for a situation in which the provision of a service, basic or otherwise, would be dependent upon the payment of a fee by any parent or any other individual. We need to be really clear about that.

Where that leaves us is we have a process that we believe needs to continue. Whether we like it or not, we have to find the dollar savings in this area somewhere, so we believe that by working with the agencies we can identify with them a more consistent policy, we can develop a more consistent policy that helps us to set out what kinds of things it might be reasonable for us to be putting together into a policy around parental contributions, and to then also identify as part of that process of discussions what potential measures there may be to find some other savings.

Again, it's important to note that in the discussions so far there have been suggestions that have been made by the agencies. One deals particularly with the issue of the possibility of looking at some form of contribution or in this issue, I think it would be fair to say, some form of fee on adoption services, which I know has been looked at, been talked about for some time. So we've said: "Fine, let's talk about that. Let's see if there's something there that's possible." There undoubtedly are many other suggestions that either have been made or can be made that we'd be quite prepared to look at.

We have just recently, as some members know, done a survey to determine those areas in which some of these parental contributions are being collected and areas where they are not. Again, what we will be doing is to use the information we have gathered from those surveys to be able to help us to shape the policies in this area.

I know there has been some confusion also, certainly by some of the questions that have been directed to me,

around the issue of children's allowances, which is another part of the services. I'm not sure if it's directly addressed in the motion here, but it has certainly been part of the discussion, and so I want to spend a minute or so on that.

We have now in the province of Ontario a system in which agencies that provide residential care for children are able to collect a child's allowance directly from the federal government, which is the same allowance that would be paid to the parent if that child was living at home. What we know is that a number of agencies are already doing that, are already collecting that fee, and some agencies are not. I think it's fair to say that we had underestimated the situation in our initial calculations. As it turns out, more agencies are collecting more of that allowance than we had initially deemed to be the case.

That is going to have some effect in terms of what we say we can find in potential savings through that area and what we have to do in terms of other measures we need to look at. But it's important on this front to point out that this is not a new measure, that this is something that has been happening, and what we have been doing is to say that perhaps more can be done, certainly in terms of those agencies that have not been collecting this allowance from the federal government, and also to look at the differential in terms of an increase that has taken place this year of about \$33 in the allowance that was instituted by the federal government. We believe that we can deal with this issue in conjunction with the agencies that provide the service and that we can arrive at a solution that determines what in fact can be realistically found through that particular approach and what then has to be found through the balance of other measures.

I can tell you that in the discussions I've had with some of the agencies one of the things they have said to me is, "Minister, we understand the situation the government is in." What people I think have complained about more, at least to me directly, has been not so much the need for us to try to find these dollar savings in this area but more around what people saw as a much more prescriptive approach to how they were supposed to find those dollars.

What I have continued to direct the ministry to do, and what the ministry has been attempting to do, is to clarify that in fact we are not talking about a prescriptive approach. What we are saying is that we think that in the area of children's allowances there's a potential for some dollars to be found and that we have an obligation to try to see if that can be done. Then, to the extent that it cannot happen in those areas, we have to work with our agencies to see where else the dollars for the out years, for next year and the year after that, can be found. Because as much as I as the minister responsible would like the case to be that we could simply say we're not going to have to find these dollars, it just can't be that way.

It can't be that way not because I or anybody else on this side of the House doesn't want it to be that way; it simply is because I think that as we are all being asked to look at how we can spend the dollars we have more effectively, at what we can do to reduce expenditures in

some areas, this is an area where we need to look at some of the things that we can do.

I would say this does not stop the process of discussion. In fact, we need that process of discussion to go on because we know that beyond the issues we've identified here, there are many other issues we have been working on with our agencies.

I could just mention briefly the question of what we do to support crown wards as they move from the care of children's aid societies out into the world and how we deal with that group of young people who need and warrant I think a great deal more support by us. We are looking at that issue.

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We also have some issues that apply particularly to children's aid societies around the question of how we deal with exceptional circumstances on a year-to-year basis, and I believe we can make some progress there as well.

I say that simply as a way to indicate that there is not only an understanding on the part of our ministry but also a real commitment to try to address some of these issues. But I think the way they are best addressed, quite honestly, is if people are prepared to sit down and work these things through, and I hope that that process of discussion can continue.

I believe there is in fact a great deal more that as a ministry we need to do to ensure that we rely more and more on the expertise that exists out in the community among the people who are delivering a whole array of services. We've been talking about children's services today, but my comment would certainly apply equally to a number of other services. I think there has been, to some extent, too much of a void between the ministry and the provision of services. I know it's an issue that many of my colleagues as well sometimes feel. I think there are some improvements we need to bring about to that system.

But on this particular issue, on this particular measure, I hope the steps we've taken show that we have taken the consultation and discussion process quite seriously, that it indicates, in fact, the way in which we believe we need to work to try to address this problem and this issue and to try to find solutions that best protect the provision of services for some of the most vulnerable people in our society.

**The Acting Speaker:** Going in rotation, are there any further members who wish to participate in the debate on this opposition motion today?

**Mr Jackson:** I'm pleased to rise on behalf of my caucus and my leader, Mike Harris, and the Progressive Conservative members of this House to participate once again on a motion dealing with support for and an understanding of children's services, especially those services for vulnerable children in Ontario.

I've listened carefully to the debate so far, now from all three political parties, and I have to be struck by several things. First, I want to indicate that we're going to hear a lot of partisan rhetoric this afternoon, and that's somewhat unfortunate. It's probably more helpful and

beneficial, to move the yardsticks on improving children's services in this province, if we can build on some fundamental understandings of just how much at risk children are today, how increasing numbers of children in this province are at risk. If we as legislators start with some fundamental understandings here, maybe we can reach a little bit of common ground.

First of all, in this House today are people who have broad and varied backgrounds in terms of children's services, whether it be in education or social services. Each of us has had occasion, outside of our lives as politicians, to draw from that understanding. We also have our own families, our own loved ones, our own extended family to understand that at times in their lives there are conflicts; at times in their lives children misstep the process and need help. We also know that from birth they are handed additional challenges that many of us never have had and never will have to face.

But if we start with some basic understandings in what we can agree on, then surely everything we know about children at risk would indicate to us that the first thing we have to do is to intervene early and provide the necessary supports. I want to go over that, because I think it's the most fundamental part of this whole debate today, that we identify and understand that at-risk child and we intervene early and provide the necessary assistance.

Conservatives and Liberals and socialists then emerge with a whole series of arguments about how best to do it, or how much it will cost society years later for that child, whether it be 10 years later and they are before a judge as a young offender, or five years later in a school classroom where they're struggling to get an education and we begin to pour horrendous amounts of resources at the children who really should have been met at the earliest point to provide those services.

We all participate in those debates. Unfortunately, they get far too partisan. I remember a time when the Liberals were bringing in heritage-language programs, which was, if we think about it, an opportunity to present a third-language access for a child in Ontario, yet within the same week, I was raising the issue of, why do we not have enough psychometrists and speech-language pathologists for children to learn the one language they need to communicate with their families and other children in school, with a therapist, with anyone who is trying to help them? Following the prevailing fashion of the day and getting caught up in the partisan nature of politics, we certainly all got off and captured our turf, but did we have a fundamental understanding of how children's services, as a need in this province, were being met?

The second fundamental understanding, and I'm directing this to the minister and the two ministers—actually the three ministers; I apologize. Mr Beer, the proposer, has had the privilege of serving in what I believe to be the most important ministry and the most ministerial responsibility in this province. I'm pleased that all three are in the House today. Why do I say that? I say that because under the law we know that children are the most vulnerable. Average children, at-risk children, children generally have fewer rights than



anybody else in society. Children have less protection in our courts, less access to services because they can't articulate those demands, and our charter already diminishes to a great degree what rights they do have.

As a humane and caring society, clearly we can accept that there has to be a countervailing set of laws that we in this province can establish to ensure their protection. It's not really the responsibility of the Attorney General, who is present in the House today; it's the responsibility of the Minister of Community and Social Services. If children lose a parent and for a variety of reasons become a crown ward, then, to the Minister of Community and Social Services, they become your direct responsibility. That is it. The extent of the greatest level of protection we'll have for that child rests with your office and your understanding of how vulnerable our children are.

Much in today's debate has been referenced to how much at risk children are and where they're at risk. We know that children are being sexually assaulted in this province in the greatest numbers of our recorded history. We know that children are being abused in increasing numbers, more so than we've ever known before. It's not because it was a hidden crime and it's now exposed. Matters of TV violence and pornography, the breakdown of the family—there are a whole series of reasons why violence and abuse against children have become so dramatic. Thank God it's come more out into the open so we can deal with it. But that's the key: so that we can deal with it.

The third understanding I want to start with before I get into the substance of my comments is that we as governments use consultation as a means of avoiding confronting the real issue. I've been involved in children's services in elected office for nearly 20 years. I've seen every government consult every aspect of every child's life and I've seen precious little progress, and we're falling into the same trap. I listened very carefully to the minister reference at length the amount of consultation. But 10 minutes later in his speech, he was talking about, "That's the way it's going to be" in terms of the fiscal realities he's faced with.

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I say to the minister, if it's meaningful consultation, then you really have to say you're leaving the door open to do certain things. If not, then consultation simply becomes a process and, frankly, an expensive one at that, because people have to leave their direct-line services in their communities and travel to Toronto to be assembled so that you can stand in the House and say, "We're consulting."

To make matters worse, you'll even say, "And there's agreement on some of these fundamental issues that we have to have user fees"—excuse me, we don't use "user fees"—"parental contributions" or "copayments" or whatever.

We have to be very careful that if we're going to consult, we'd better meaningfully consult. And if you're going to quote report after report—I could have used up 20 minutes of my comments this afternoon simply bringing report after report which proposes to do the basic fundamentals: to be more proactive and prevent

aspects of problems that affect children who are at risk, that we coordinate better the agencies, which are in a sense almost competing with each other.

This is in every one of the reports we've seen, whether it's Children First, whether it's the Rix Rogers report on abused children, whether it's the Maloney report on children's mental health needs. Reports keep people busy, they arm politicians with arguments, and they end up on shelves collecting dust.

I want to talk about the fourth element of consensus I hope we can reach today, and that is that this province and this government is in some fiscal difficulty. We know that, and everybody in this province knows that, and every Canadian who participated in the national election understood that. But the real challenge for your government is not simply to say that we have an expenditure control plan and it's in place, simply because anybody, either an auditor or an accountant, can take every ministry in succession and impose upon it a restriction on its spending and indicate that that's where you've got to find your savings; the real test and measure of a government is to determine how it sets its priorities within the fiscal environment we're living in today.

As the Chairman of the standing committee on estimates, I'm going to raise these issues because they're the two most current and immediate examples that come to mind.

Yesterday the Minister of Transportation presented his estimates before our committee. He, like all ministers, has the restraint program in place, but he said with great satisfaction that his \$15-million bilingual highway signs project was still on the boards and it was still going ahead full steam—\$15 million for a highly symbolic gesture of creating road signs on highways that already have road signs.

I don't want to debate that issue today. I'm just simply saying that there's \$15 million that you might have re-examined. There's \$15 million you, Minister, might have fought for at the cabinet table. There's \$15 million that you could have said to all the agencies in Ontario, "You work with me and help me to understand this issue so that we can get those moneys."

I have to say that all political parties are slaves of their ideology and they're slaves of these economic issues, and our party is no different. The marching orders within our caucus are, "You cannot be spending more money unless you can find out where it's coming from, and it better not come from taxpayers."

You know that's the case. We've tried very hard as a party to maintain that position, and we took that position, I recall, in a debate in this House which I participated in back in April 1990, where we had a motion which asked for an expansion of children's mental health services. My colleague Mr Beer of the Liberals was the minister of the day.

In that debate we had to articulate clearly the areas of government spending we would stop in order that we could get mental health services to 7,000 to 8,000 children who were sitting on waiting lists, who'd been identified, who'd been denied mental health services

which were critical if we were to be able to demonstrate that we had a prevention-and-care model of meeting the needs of children.

When members of my caucus, including myself, bring to the attention of the government ways in which to reduce welfare fraud, we're not just saying that this is simply so you'll have more mad money to play with; it's so that when we identify these absolutely crucial services that we have these funds now that we can move and direct to meet that need.

Again, Minister, as I say, if you're not the one demanding at the cabinet table that these expenditures be made and honoured and commitments made and honoured for these children, no one else is prepared to do that at the table.

Just look at the numbers. We've been rising on our feet about the amount of abuse of the tax we collect from tobacco revenues in this province, which estimates are it's close to \$1 billion. Just for members of this House to put this in perspective, we only spend \$729 million on children's services for all children at risk in this province, and yet nearly \$1 billion of revenue, we're told, we're being defrauded out of by people who wilfully break the law, and the government says: "We really can't get a handle on it. We may not have the political will"—that's my interpretation of it—but you've only indicated that you think it's probably a federal problem. We don't have the will to pursue it in terms of the collections.

But I ask the minister, for what we spend on children's services and what we're losing in legitimate revenue under the law, surely there has got to be a political will for you to turn to the Minister of Revenue and say: "Can't we go after and get some of this money? What is it that we need to do, as a government, to get that revenue, which we deserve, which the public's aware of?" It's not a new tax; it's just taxes you're not collecting from people who are breaking the law.

*Interjection.*

**Mr Jackson:** Within your own ministry, Minister. I've been on my feet on several occasions. I've talked about day care and some of the money you've wasted there, and I really don't want to get into day care, much as I'd dearly love to. I'm sorry that Mr Beer had to throw that one line in on day care, because I understand he wants to talk to that constituency out there, but this is really more about vulnerable children and children's services and not about day care. But I have been on my feet on dozens of occasions to talk to you about expenditures within your own ministry.

I've got to raise a couple for you today. You and I have had difficulty over the issue of our detention centres for young offenders. I've expressed a concern to you about several of the approaches, and without getting into a debate about young offenders, we have young offenders who are ranging from children who are guilty of simply running away from home and we have multiple murderers, and frankly, we treat them almost identically under this legislation brought in by the Liberals.

The public is growing in their concern with how you're spending the money in that ministry. I'll give you

one example. The closest facility to my constituency in Burlington—it's in Halton region—is the Syl Apps centre. We know that you're about to spend \$8.5 million to \$9 million on program upgrades and capital expenditures in that facility. I'm told that the in-ground, indoor swimming pool you're building for these young offenders is going to cost taxpayers between \$4 million and \$4.5 million.

Minister, if you're not going to listen to any argument today, I want to ask you to listen to this one. You don't have to walk two miles from the location of the Syl Apps centre where you don't land at the doorstep of the Halton children's aid, which is experiencing a 25% increase in children who have been abused, which is experiencing a 40% increase in child sexual abuse, yet you're telling these people there just is no money there.

That's within their own ministry that they are seeing you making those kinds of expenditures. The front-line workers who are dealing with children who have been sexually assaulted and abused, the Community Living staff who are dealing with basic living functions for dignity for children who cannot live at home—you're telling them that we need, and it's a priority, to have a \$4.5-million in-ground swimming pool for young offenders, kids who've broken the law.

1650

I'll go further; I'll find you some more money. We had an inquest into the death of four young people killed in my riding. When the inquest was finished, they found out that while one of these individuals was in the Syl Apps centre, the taxpayers were paying for all of his driver education—the insurance, a vehicle—to teach this young offender, at absolutely no cost to the young offender, how to drive a vehicle.

If you want to do something constructive, find out how much money's being wasted on these kinds of programs when law-abiding young people can't get access because they can't afford driver education in this province. But how much money can you save to say that society shouldn't be paying for this stuff? I'm sorry to get into the Syl Apps case in detail because it goes on; I mean, the buffet carts that go around to each of the wards at night to offer the kids whatever they want. Let's get real about where our sense of priorities is here.

We're not talking thousands of dollars here; in the examples I raise we're talking millions of dollars. My colleague Mr Wilson talks about health care fraud. Those dollars should go back into the health care system so that we have those needs. I'm asking you to look at bilingual road signs as a priority for your government, because apparently they still are; for you to re-examine, before a shovel goes into the ground to build the expanded gymnasia facilities, the outdoor baseball diamond and all of those things for the young offenders and when you're going to tell young offender resident facilities, level 2 facilities for less-violent offenders, "Well, you're just going to have to find the money somewhere."

When a family abandons their child, how can you talk to them about a user fee? Where are you going to find that kind of money if you're not even looking in your own backyard?



I was hoping to spend some time today talking about children's mental health services because, frankly, I think that's been a serious problem in this province. First of all, I recall the debate back in April 1990. Mr Beer was the minister. The Liberals were sitting on that side of the House and there was a whole load of them sitting here. That was before the last election. Children's mental health services were, as I said, one of the few policy areas where our party was—through our caucus we had decided that children had to have interventions early if we were to help children and they did not become a burden financially on their families or society later in life.

So we indicated and we campaigned that this was one of the few areas where we would expand those services, because they had not been attended to for years. The debate of that day was most interesting. What I will remember for ever about that debate is that members from the governing side of the House broke ranks with their own government and voted in favour of the resolution. They fundamentally had understood the notion, first of all, that today's resolution doesn't really mean very much. It's a great opportunity for all of us to get up and debate and to tell whoever's important, "See, we're fighting your good cause."

But what came out of that very important vote, I thought, was that about two thirds of the Liberal caucus voted in favour of that motion that day. Many of them carried that commitment with them into the last election. I don't want to name names, because it would be a bit of an embarrassment, but of the five Liberal members who voted against the children's mental health services, three of them were defeated, two of them are back.

What I think's most important is that they were prepared to set aside whatever their marching orders from their House leader were, whatever was or wasn't going to be done for them by their Minister of Community and Social Services and that they fundamentally understood what the needs were in their community and that they were prepared, whether it was in a symbolic gesture, to stand up in the House in an overt, clear, decisive vote of support for the principle and the practice of defending the right of children at risk to have access to legitimate services.

I think that was an important motion, not because Mr Brandt, my leader of the day, had proposed it, nor that I as the critic had been fighting for it. It was important that the House began to understand that this was going to be our priority as a Parliament.

I'm seeing precious few examples of where we as a Parliament are establishing some mutually agreed-upon priorities, priorities that are arrived at because of a fundamental understanding of how much at risk a certain member of society is and that we must put aside all the other considerations at that time to determine a strategy to save or help that program.

I don't wish to debate how difficult the economic times facing you and your government are. I don't wish to debate how big the deficit's going to be. My colleague from Etobicoke has extensive discussions with the Treasurer on that subject. All I know is that the language you're using today concerns me, the lack of political will

to pursue alternatives, finding ways of protecting this part of your ministry, and I want to make that abundantly clear. One of the reasons I don't want to get started on day care is that you're apparently finding money for that. I object to how you're spending it, but I don't object to the fact that you're spending money on day care. You can apparently find money to expand certain services. I hope, Minister, you realize that your proposal as set out in your ministry memo to all the support groups is going to put at risk many of those services.

Today in the press conference Mary McConville was asked a very direct question by the media. She was asked if they thought you were lying and she said, "No, I don't think so." But what she did say was that you seriously miscalculated the impact of this decision on the agencies that are directly responsible under your leadership as the minister. She said she truly believes you do not understand or know the impact of the decision that was made by your senior staff in your ministry as approved by your cabinet.

We know what will happen if you do not listen and take substantive corrective measures with this action that you've taken. It was said today that a child at risk in Windsor may have to be shipped all the way to Sudbury to get that service, because that's where the only bed will be available. When a family member is shipped to Sudbury for cancer treatment, the Red Cross is there to help, and maybe a family member from northern Ontario can fly in, and perhaps a spouse can fly with that adult. But when children are ripped out of their communities and sent that distance, who goes with them? Who's there to ensure that the child's program, and our response as a government, isn't worse than the situation the child is leaving? Not that the care won't be good in Sudbury; it's just that the family who need the counselling, the brothers and sisters, the school, the academic program, the medical supports, all of the aspects that come around a child to help him or her to be whole again are still back in Windsor.

If that is your vision of how that individual child will be served, you cannot expect agencies to cooperate, but rather to fight for what they believe are the most crucial elements of child support, or for members of this Legislature to get up and fight based on everything we've come to know and understand about how to meet the needs of children at risk.

1700

Mary McConville talked about layoffs, Minister, and not just a few layoffs; lots of layoffs. That is what's going to happen here. The front-line staff are not going to be in place for the children. Your colleague the Attorney General is so aware of this whole concept about assisting women who are raped and sexually assaulted, that when they need help they're not sitting being told on a help line, well, maybe eight weeks, maybe 12 weeks.

She was the other minister who was before us in estimates the other day in her capacity as the minister responsible for women's issues. She very clearly told our committee that she was pleased her directorate—it's not a full ministry; it's the office responsible for women's issues—had very much been insulated from the effects of

the expenditure control plan. She felt that was important. I felt good for the minister. Violence against women is an important challenge that must be met in this province, and I commended the minister for that. But apparently she was in a position to be able to say that and you're not.

I think the children at risk, the most vulnerable children, are just as important if they're growing up in an abusive situation. Everything we've learned about abuse indicates that much of it is a learned response early in childhood when interventions were not forthcoming.

The press conference this morning went on to talk about the memo you've released, which really does not give much comfort to the agencies, as it relates to your removing the dollars with respect to the federal contribution; nor does it give them much comfort as it relates to the implementation of user fees or—I've got to keep working on the words you use.

**Mr Bill Murdoch (Grey-Owen Sound):** Parent contribution.

**Mr Jackson:** Parent contribution; thank you. It's interesting. First of all, the child better have a parent or there can't be a parent contribution.

Minister, let me ask you a question, and hopefully a member of the media will pick it up. You're parent to quite a few children: crown wards. I hope you appreciate that your government is going to be called upon to make increasing numbers of parental contributions. Are you prepared for the numbers of families that will say: "Look, I can't argue with the children's aid society. We just don't have the money"? Are we then to advise families: "Listen, make application. Surrender your child. Make him a crown ward"?

We've already established in this House, for example, on copayments for senior citizens in nursing homes by virtue of your latest government legislation, which called for increases in user fees for nursing home services or extended care services, that because you examine very rigidly the finances of the person needing care you've left hundreds and maybe thousands of women senior citizens at risk to live independently in their homes. One of the responses is for those women to take voluntary separation from their husband so they can have a half claim on his income, because the government takes a greater portion of the income of the person with the higher income when he or she goes into a nursing home.

I proposed to you, Minister, when we raised this in the House, and it was one of the reasons I wouldn't support the legislation on long-term care, that you may be playing with a similar concept as it relates to the responsibilities that parents have with their children now or those who become the wards of the children's aid or who become, under Lieutenant Governor's orders, a crown ward under your responsibility.

I raise those issues, but really what's underlying that is what Mary McConville and all the others said to you this morning and set out in their letters to you of almost a month ago:

You're bringing in a policy without having adequately researched it.

You're bringing in a policy without meaningful consultation; there were too many surprises associated with it.

You're bringing in a policy without an accurate database on which to build your assumptions.

You're bringing in a policy for which, when challenged on how you arrived at your figures, you aren't able to articulate exactly where you came up with the numbers.

Fifth, and perhaps most importantly, faceless, nameless bureaucrats were at the bargaining table without the members of these organizations knowing whether they were speaking with the authority of the government or whether this was some sort of behind-closed-doors negotiating move on the part of the government.

Many of us in this House asked for your direct participation, Minister, in these discussions, yet to date we've not had any example of you attending some of these sessions so that someone with direct responsibility and authority in these matters was speaking and working directly with the agencies, even someone at the deputy or assistant deputy minister level. It shouldn't have taken this kind of debate and the press conferences and the treks to Queen's Park simply to get a minister to deal with his issue in a more responsible manner.

Minister, in the scrums after today's session in the House, you indicated that your parental contribution wouldn't be imposed on those families who couldn't afford it, but on the other hand you're saying that regardless, when it is all said and done, these agencies must and will meet their target cuts, period, end of sentence.

Minister, this is too difficult to reconcile in terms of what it is you're actually doing to agencies all across Ontario, and I hope that subsequent to today's debate you're going to provide a little more clarity and understanding. That's really why the agencies want you to participate in a more meaningful way directly with them in terms of these negotiations and not to have members of the media resigned to asking their questions during scrums to determine their future funding fate.

But you've put them into a terrible catch-22. I'm told that some of your district offices, regional offices, have indicated to some agencies that they've been notified of the adjustment downward of the expenditure control plan. We know that has occurred in some ministries, but we're concerned that it is occurring within a ministry where you're stating openly that you're still consulting. You can't have it both ways.

Today in the House you made it abundantly clear that that's the way it has to be, so maybe all of this debate won't amount to any achievement of any changes or moves towards flexibility which everybody seems to be seeking, from this side of the House at least.

Minister, you've put these people in a terrible position. To make matters worse, they're all beating a path to Queen's Park to knock on a door to try and have their concerns listened to when in fact, if you were very clear and frank about this, you should just send them all home and say: "Get ready for it. Make sure you remember our



labour laws. Start getting ready for your layoffs. Start looking at how you're going to change the skill level of so many members," whether they're with OPSEU or CUPE or under contract with each and every one of these agencies. "Your primary responsibility, albeit what you were hired for was in terms of counselling and support and programming and assistance to children at risk, is that we also want you to develop this whole new technique of how to screen persons for their income, how to coerce a cheque out of them and how to get their Visa number out of them for their parental contribution."

1710

You haven't told these people; whether they are supposed to withdraw the service if they don't get that Visa number. No, you've refused to give them any direction and that's the third concern they've raised. You want them to do all the dirty work here. It's come out of their mandate and their sense of responsibility to their clients and to the communities they serve that somehow it's their idea.

As I listen to your debates in the House, clearly you're saying, "This is nothing new; they're already doing it." Well, they are doing it in some limited circumstances. I'll agree with you that they're doing it differently in some jurisdictions over others. But what else is new, Minister? Your government is funding into high areas of unemployment and targeting certain sectors for employment and turning its back on some communities that are hit more severely. If you were to ask these agencies, they would tell you, "Yes, we do it in some circumstances where we are able to collect it and we're doing it in areas where there's no public outcry."

But you don't look and build on that concept of where it might work and how it is helpful to direct those funds directly back to the child's needs from a parent who is relying on these services. You didn't take that approach, Minister. The approach you took was: "I'm sitting around a cabinet table and we all got hit with a certain flat amount. I'm going to decide that not only am I not going to apply it evenly across my own ministry; I'm going to apply it to children's services." This isn't going in for adult services. That's the decision you made.

When parents and clients, as we had here today—Sean Kennedy, a young man who came forward and was very articulate on the kinds of concerns he had and who's been supported and assisted through the children's aid society. Sean said: "I can't go to school if my transportation moneys are cut off. I need certain clothing. My school requires me to buy some of my books, some of my pencils, some of my consumable supplies. I don't argue with them but I've got to find the money somewhere." Yet your ministry said, "We're going to cut this amount of money and you'll find it wherever you can."

I hope that if you take anything out of today's debate and if you take anything out of all the agencies that have come to the Legislature today representing the families, the clients they serve, the staff who work for them: the Ontario Association of Children's Aid Societies, the Ontario Association of Children's and Youth Institutions, the Ontario Association of Children's Mental Health Centres, the Ontario Association for Community Living,

the Ontario Contract Observation and Detention Homes Association and the provincial council of children's services coordinating and advisory groups—they represent between 20,000 and 24,000 children in this province, and they're here today to speak to you, the Minister of Community and Social Services. They want to be assured that you're listening. When your government gave its very first throne speech, it stated that this government of Bob Rae was going to listen to those voices of individuals who've never been heard or represented in this Legislature before, and in so doing, the vulnerable will have a voice in this Parliament. I paraphrase those words.

Mr Silipo, I want you to return to the promise of your throne speech because I believe it forms part of the conscience of your political party and your government. I ask you, please reopen this issue, be flexible and honest with these organizations about the challenges facing them and, above all, look inward to your government to find those savings which we've talked about, instead of always turning to those who call upon government legitimately for your support and your help, because they are relying on you and you alone, sir.

**The Acting Speaker:** I thank the member for Burlington South for his remarks. I do want to remind the member that when addressing the minister, he should address his remarks through the Chair. Going in rotation, are there further speakers who wish to address the motion?

**Ms Zanana L. Akande (St Andrew-St Patrick):** I rise today to address this motion, and I must say that I was most interested and very much agree with the previous member, who spoke about the very many influences from which we come, the various things which have happened in our lives and that we have been a part of which influence the way we see things, and how important it is that we bring that information and that background and that experience to this place to discuss issues like these, issues of great concern.

I recognize that and I agree. The member is correct when he says that many families do go through situations which ultimately result in their having to reach out somewhere in the community and get help and get those services for their children which will make them better prepared to continue on and to assist them in their development and in their growth and in making them better, if you accept the theory that it is some kind of illness.

That happens to all of us. But some of us can afford those services and can contribute to them. Some of us do, and some of us should. There are others, of course, who are unable to do that, and it is not the position of this government, and I'm very much supported but not surprised to find that it is not the position of either of the other parties, that we would expect those who cannot afford to pay for the services that they desperately need to pay for them. We are all in this House far too concerned with making sure that children have what they need to grow.

We are all aware that very often that is done within a family context, but where that family does not exist, it becomes the responsibility of agencies, of the minister, of

those of us who can, because you know, I come from a culture that believes it takes a community to raise a child. It would not be our feeling, our suggestion, our indication, any policy that would insist on or request a contribution from families who could not afford it or deprive service from those who needed it who did not have that kind of financial ability.

But it is important to know that the contributions of some allow for the services to be shared by all in the best way possible, and I feel that those who can should contribute.

As a matter of fact, many of the agencies within Ontario also feel that way, and that is shown by the fact that many of them do ask for voluntary contributions and get them. So not only do the services and the agencies feel that way, but obviously so too do many of the community members, because they volunteer those contributions willingly.

1720

It's important too for us to recognize that it's not done uniformly, it's not done evenly. Some agencies request contributions for some areas of their programs, some agencies do not, and it is very unevenly done. It is in fact our view that there should be some deeper look at how to make this request for contribution more evenly spread out so that those who can, for those programs where it's necessary, will be requested to and those who cannot will continue to have the services.

I was interested too in some of the discussion and certainly the mention in the motion of a program and how this program is tied to our fiscal difficulties, our economic difficulties. I recall that it was in times of plenty that the then Minister of Community and Social Services, the member, initiated a study, a report, *Children First*. I recall because I was one of the members of that group and so too was Ms McConville.

We found as we studied and worked with people across this province that indeed there was a duplication of services. In fact, there were families who had a child who was being served by a social worker from the school board, another child who was being served by a social worker from the children's aid and another child who was being served by another agency. Because we recognize that children exist within the context of their families, these parents, and sometimes this parent, were asked to somehow assimilate the advice of these many different perspectives and social workers into some cohesive, sensible program that they could implement for the betterment of their children. I know, because one of my jobs in my previous life was as special education consultant, that we'd sit at meetings where parents said: "I don't know what to do. I'm too confused."

I mention that only to say that integrated services are not an issue that has arisen out of the need for greater fiscal efficiency; it is an idea that has been mentioned in this House before and has been sponsored by a study in times of plenty. As a matter of fact, we were so influenced by what we found from people who met with our committee and came to speak to us at that time that we made it a very important part of the report that the integration of services was an issue, that we must follow

up on it.

The time has come. It's an ill wind that blows no good. If it is economic need which has moved us to the point where we say we have to do it and we have to do it well, if our quest for greater efficiency is going to make for more effective programs for children and others, then so be it.

The member suggests that perhaps consultation is often used to avoid action. Would he suggest that we not consult? Would he imply that we know all the answers without asking? Would he accept that we move forward unilaterally? Would he sponsor a program that was designed by us without hearing others' opinions?

Then of course we come to the other situation, about defining "consultation." We often have difficulty with that. Consultation does not mean that I ask you and then I do as you say. Rather, it means that I ask you, I talk to you, I consult with you, I may modify my ideas accordingly—not to do exactly what you say but to come to some consensus, some suggestion about how we may implement the ideas that both of us share.

I think the consultation around this initiative is extremely important. It does two things, if not more. It makes sure that everyone in the province who is involved in children's services knows the thinking around this issue and it gives them an opportunity to suggest how this program might be better implemented so that no one, no child, is hurt.

I know that my colleagues wish to speak, but I have to tell you before I sit down that there are some concerns that I have. We have said, and I must believe, that this is not a partisan matter, that this is a matter of deep concern for all of us. I believe that. I believe that all of us want the best for all the children and I believe that is exactly what the minister has assured us. But what I am concerned about is that by bringing this situation to a debate which seems confrontational, we will send a message to the public that not all of us are here to assure that every child, every person, who needs and must have that service will get it. That is not true.

**Mr Drummond White (Durham Centre):** The issues that are brought up in this resolution I think are always timely, should always be brought up. We should always be reminded of how the most vulnerable people, the most vulnerable families, the most vulnerable children in our community are being dealt with, are being served.

There has been a lengthy discussion about the cost of these services. These are, frankly, essential services.

Over the last 20 years I've worked as a child care worker, a child and family youth worker, a social worker, with the children's aid, with children's mental health centres and of course for a number of years as a counsellor. I've had experience within a range of services as those services have changed.

Frankly, while the member opposite was minister, there was a great deal of movement in regard to the integration of children's services, I'm sure; I didn't see it very much on the ground level. Certainly in my area most recently, because of efforts that were made years ago—and I don't want to suggest this was made only in the latter part of



the 1980s or in the earlier part of the 1980s—there has been some movement.

In my area there has been some effective service coordination. There has been recently an amalgamation of children's mental health services in my area in Durham region. Where we had previously several overlapping services, now there's at least one fewer, and these services have been able to coordinate what they're doing more effectively than ever before.

1730

But that's not the issue. The issue we should be continually reminded of is the situation of these children, the issue behind it all, frankly. My colleague points out that most of the families involved in these situations are not able to pay for those services and that it is a totally inappropriate request to make of most of those families. Most of these families are suffering because of poverty, because of desperation, time and time again.

Yes, we have those services. There are some voluntary fees that have been around for a long time within the Conservative regime, within the Liberal regime, and they haven't changed, they haven't been eradicated recently by our own. The minister has suggested how those have been moderated, how that request has been moderated. But still, the essential issue behind children's mental health issues, behind children's welfare issues, is poverty.

**The Acting Speaker:** This completes the time allotted to the government. Further debate?

**Mr Charles Beer (York North):** I think one of the ends that's been served by the debate today is that this is, I believe, the first time that members of the Legislature, members from all parties, have had an opportunity to share in some detail our concerns around the provision of children's services; some of the things on the government side that they believe they are doing, and on our side things we would like to see them do more of or do better.

Quite frankly, we don't have enough of this kind of debate. It often takes the need to use what's called an opposition day motion to put on the table a subject which then gives us something in the order of—today I think we'll have had close to three hours—to talk about an issue that, as the member for St Andrew-St Patrick said, is one we all believe is extremely important.

I recall, and reference has been made to two debates we had in this House during the time I was minister: one brought by the former member for Sarnia, Mr Brandt, with respect to children's mental health issues, and one that the former member for Riverdale for the New Democratic Party, Mr Reville, brought on children and children's rights.

I can recall, as a minister sitting in the place where the present minister is sitting, that there were many things said with passion and with feeling about what we were doing or what we weren't doing, but there was no question that out of it, at the end of that debate it wasn't so much what the motion was or what the result of the vote was, but I think we all had a somewhat better understanding of where we were, what we were thinking, what we were trying to do. I think we've been able to do that today, and I want to say to the minister that I thank

him for not only participating but for having sat throughout the debate and listened to the comments.

The other thing, as we know but those watching can't see, is that we have had with us all day long representatives from many of the children's services organizations who came here today because of tremendous concern about a specific public policy issue—and I'm going to make some comments about that—who have been here today, who have been talking with members of the Legislature and who have sat through this debate.

If we really want to make children a primary initiative that we as a Parliament believe to be important, and in the words that have been expressed today there would seem to be a good consensus around that, then we have a responsibility not simply to facilitate the discussion with those who are most active in those children's services organizations or even with those who are receiving those services, as important as that is, but we also have to make it a much more public debate.

One of the things that was referred to was the document *Children First*. The member for St Andrew-St Patrick, also a former Minister of Community and Social Services, served on that committee. When that report came out, and at that time she was the minister, in conversation with her I said, "This is one of the documents that perhaps would be particularly useful to give to a standing committee of this Legislature and take out for broader public discussion."

I don't for a moment suggest that officials within the ministry or people within various children's services organizations are not seized with the kinds of issues that are here, and I think members on both sides of the House today have made some very good points about the need to better integrate services; that we have a history of developing a whole series of responses to different kinds of issues and that we could do a much better job with that and make changes that are not necessarily financial, indeed many that aren't financial at all. But in terms of us as legislators and the public, I think more of that has to happen here and more has to happen in the committees of this Legislature so we can help build a much broader consensus around children's services and making sure we continue to do the things that are most important.

I would hope that one of the things the minister would take back to his officials as well as to his cabinet colleagues is that this is an issue around which I think there is substantial support; that in hard times, when priorities have to be set, there is support for putting those resources behind children's services.

I want to raise within that context the issue of user fees, parental contributions, however one wants to call it, because I think this is a place where process, or what I would say a failure of process, has caused us real difficulty. The minister has said, as have others on the government side, that they don't mean this, that they don't want to deny people who need services those services, and I accept, when they say that, that that's what they mean.

But in all the discussions we've had with the various front-line organizations dealing with children, they've never said, "Look, it is not a legitimate public policy

issue to discuss the question of user fees." Indeed, the Premier's Council I think has helped us all by putting out this document from September 1993 talking about user fees. We musn't be afraid of revisiting that as an issue, because there are different kinds of payments we have in parts of the health system in terms of nursing homes, homes for the aged, where that is done, and it may well be that there are some other areas of health and social services where some of those things could be considered.

But that debate needs to be carried out in public and it needs to be carried out before we make the kinds of changes that were proposed by the minister through the Ministry of Community and Social Services, because in talking to the provider organizations, to those on the front lines, so much has been a sense that: "This is what is going to happen. On November 1, 1993, these changes are going to occur in the children's services system, which, in our view, as people who are working with children on the front lines, are going to have a very negative impact, and we don't believe we have been involved in an appropriate way in determining, if there need to be cuts, how they are to be made, or perhaps even more importantly in terms of children's services to be able to say, 'We don't think you can make those changes here. You've got to look elsewhere, whether it's in the ministry or in other functions of the government, before you make those changes.'"

Suddenly, the organizations that are working with children are caught up in a process where they feel all the decisions have been made, or virtually all of them have been made, not only in principle, but decisions made which, in their view, and after talking about many of these issues with them, I think they're correct—that people have made decisions based on false assumptions and information that is not correct.

I would say to the minister that implicit in the statement he released today is that the discussions and the information he had were in fact not correct; that there really were some problems there. I accept that he is trying to address at least some of them by changing the time frame, although I would still argue that he hasn't dealt with the fundamental issue in terms of whether in fact one ought to be doing the things he's proposing to find the dollars he says he needs.

1740

I don't care who's in government: We all feel at times that we consult and consult and consult to death and people will say, "No, you don't consult." But I think what always has to be looked at is the nature of that consultation, the quality of that consultation, and in this instance on this specific issue, there is a real and extremely strong feeling and belief on the part of those organizations that are dealing in children's services that they were not really involved in this until it was too late and this was going forward.

I understand that with the social contract, with the expenditure controls, to a certain extent these issues were being determined, if you like, elsewhere; that the Minister of Finance was saying things which other ministers were going to have to somehow carry out, or even that within the Ministry of Community and Social Services there

were perhaps people on the financial side who were in effect dictating policies on the other side in terms of what was coming out as program.

All that being said, what we are left with is that in this whole question around user fees, what the organizations providing children's services are saying is this: If you go ahead with the user fee, that ensures an inequitable situation where some people who really need the service but can't afford it are not going to be able to get it. If you're saying as well, as the ministry is and as the minister is, that some \$4.3 million need to be cut and if we can't do it through some sort of parental contribution, we're still going to take it out in some other way, then you are cutting back on services in a sector where that may cause undue hardship. So when the minister says, "Look, no one will be denied service if they can't pay," that only meets, I believe, half of the concern that has been expressed.

It is laudable. I take the minister at his word if he is saying, "No one who cannot afford a service"—and remember, under the Child and Family Services Act, we're talking about essential and mandated services. We're not talking about recreational projects; we're talking about statutory, essential services. But the other part of that is that where else then can you be looking for that money?

Within the minister's own ministry, he has a budget of something in the order of \$8 or \$9 billion. Some of that money is committed; you can't touch it because it's mandated. But when you then go and look at: Well, what is it that we're going to take from the children's services area? We've talked about children's aid, we've talked about children's mental health, child care, community living, all of those young people who, in one way or another, have a need for some form of protection, assistance, guidance, direction, a sector that already is suffering.

As a minister who served during, certainly, times that had more money, even then I think that it was pretty clear that people were telling us, "Look, we're having a real problem meeting the need out there," and that's part of what got us into trying to restructure and rearrange and see if services couldn't be provided in a better, more effective way. The present government has tried to carry that on. It will continue throughout, I suspect, the rest of this decade to be a major issue. But what we're left with is that when the provider organizations, when children's aid and the others are looking at what they are expected to do and looking at the policy that the minister has brought forward and looking at the letter that came out today, their concerns remain, and I want to touch briefly on them.

First of all, I think, Minister, it is their belief that what you have issued today in the form of the statement really is no substantive change in what has been put forward before. There is still, in their view, a clawback of federal money that should rightly stay with the agencies; that the \$33, because the payment now has gone from \$52 to \$85, that they—especially the children's aid organization—bank on and use and need; that the time frame that is being put forward to discuss broader changes is not one



that is feasible or practical; that there has to be a real need that hasn't come forward as yet to find the shortfall in this sector elsewhere in the ministry or elsewhere within the government; that we should come to an understanding that we can't take more out of the children's services sector, and that most importantly, the financial target that the minister is setting out for the children's service sector for 1994-95 and for 1995-96 remains the same and will result, in their view—and these are the people who have to provide the service to children—in service reductions for essential services, for mandated services, that there is no way around that, that they are at the point where there has been so much restructuring that to go any further is going to the bone and means the children at risk will not get the services that they require.

That leads then to the question around this word “voluntary” that the minister has in his letter to the children's services organizations and trying to define it. What is really meant by that and how do we relate the question of user fee, voluntary provision of services to those in need and the reductions, because of the reductions in transfer payments, in the capacity of those organizations to really provide the services that are required? I think, Minister, those are the questions that are still on the table.

I know your ministry is going to continue to meet with the children's services' organizations, but I think the message we would want to take to you on the issue of user fees, of parental contribution, is this: The policy you have put forward should be withdrawn. I don't believe you should be trying to take back the moneys that are coming from the federal government.

We recognize that there are already parental contributions in many areas of children's services that are done through discussions between the agencies and the parents, and those are, I believe, in a much more transparent sense voluntary where in some cases parents are volunteering their time because they don't have funds and in other cases parents are able to provide money. Agencies know how much that is. They have a sense of what that is. But in my discussions with them, they believe very strongly that if this goes from being truly a voluntary system and in effect is mandated, that's going to change the relationship they have with their families, with the parents, with the consumers of the services that they provide and cause a whole host of problems, including that there will be people who will no longer get services that are essential and mandated. So that should be withdrawn.

The second part of the question that we're looking at today is also that of the framework in which children's services are provided, and that is the reason why we made this debate not one only on the question of user fees but more broadly on the question of the strategy around the government's approach to children's services and how it was going to make sure that those were properly integrated. I want to make two points on that.

Firstly, we need to see in a public sense what it is that you and your colleagues, particularly the Minister of Education, are looking at in terms of an integrated framework of services. Children First set out a whole

series of proposals. I don't necessarily agree with everything they set out there, but it did try to say, “Look, we need to put children at the top of the agenda. We need to look at what Education does with children, what Community and Social Services does, what Health does, what Recreation does, what Housing does, and bring those together into a meaningful policy that can be the subject of public debate, the development of a real consensus in putting children first,” as the report suggests, and then go about implementing it.

That hasn't happened. As I said before, I stand to be corrected, but I believe it's the first time we've had this length of time outside of estimates to really talk, specifically and in a directed sense, about the provision of children's services in this province.

In the motion that we have put forward today we have called upon the government to “table in this House a comprehensive plan for the delivery and integration of children's services.” We know that you have been active, your government, in many ways, talking with providers, talking with users of the system in terms of how we make this better, but we have not yet had a document or changes in legislation. Whether it's in terms of child care or the Child and Family Services Act, we haven't had anything come forward to this House that we can deal with, that we can get our teeth into and where we can have that public discussion around how we want to see children's services provided. We need that and we urge you to bring that document forward as soon as possible.

As you are doing that, the second part of our motion is saying we can't bring in user fees without broad public discussion where in fact we look at all of the pros and cons of such a public policy position and determine where that might be applicable and where not. I think what we're saying on this side of the House, and I think what the providers are saying, is that in the children's sector—and remember, Minister, that one of the problems in what you're doing is that this has been applied in the present context only to the children's sector, and only to the children's sector in Community and Social Services—we have not had that discussion around how do we want this principle to apply, whether it is in Health, in Community and Social Services, in Education or any other area, and what are the real implications of bringing this in?

Minister, as we close this debate and as I ask for all members to support the motion, I again ask you to withdraw the proposal and to go back to the drawing board, sit down with the major children's services organizations and come up with a plan that is going to make sense, and, secondly, to come back to this House as soon as possible with a comprehensive plan for the integration of children's services so that we can have the kind of public debate I believe will bring about a consensus in this Legislature and make sure that not only are we saying we put children first but that they really are first.

**The Acting Speaker:** This completes the time allotted. Mr Beer, the member for York North, has moved opposition day motion number 2. Is it the pleasure of the House that the motion carry?

All those in favour please say “aye.”

All those opposed please say "nay."

In my opinion, the nays have it.

Call in the members; a five-minute bell.

*The division bells rang from 1753 to 1758.*

**The Acting Speaker:** Mr Beer, the member for York North, has moved opposition day number 2. All those in favour of Mr Beer's motion will rise one at a time and be recognized by the Clerk.

#### Ayes

Beer, Bradley, Callahan, Eddy, Elston, Eves, Fawcett, Harris, Jackson, Johnson (Don Mills), Jordan, Kwinter, McClelland, McLean, McLeod, Miclash, Murdoch (Grey-Owen Sound), Murphy, O'Neil (Quinte), Phillips (Scarborough-Agincourt), Poirier, Poole, Ramsay, Runciman, Sorbara, Stockwell, Turnbull.

**The Acting Speaker:** All those opposed to Mr Beer's motion will please rise one at a time and be recognized by the Clerk.

#### Nays

Abel, Akande, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Cooke, Cooper, Coppen, Dadamo, Duignan, Fletcher, Frankford, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Kormos, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Mathysen, Mills, Morrow, Murdock (Sudbury), O'Connor, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rae, Rizzo, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, Wessinger, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winner, Wiseman, Ziemba.

**The Acting Speaker:** The ayes are 27; the nays 59. I declare the motion defeated.

#### VITAL SERVICES FOR TENANTS

**Mr David Turnbull (York Mills):** On a point of privilege, Mr Speaker: Recently I rose to ask a question of the Minister of Municipal Affairs as to whether he would consider accepting a private member's bill that I was introducing to protect my tenants in North York and to extend the ability for any municipality to pass vital services bylaws. The minister commented that North York did not want such a bill.

The next day, the minister requested through his office a copy of my bill to be sent to his office. It was still in the draft stages at that point. My office, still being eager to have the government take over my bill, to be expeditious, to help my tenants, sent over a copy of the bill. A few days later, Mr Mammoliti introduced a virtually identical bill with two small but significant changes.

In introducing this bill as his private member's bill which was to be debated one week before my bill, I believe that—

**Mr Anthony Perruzza (Downsview):** On a point of order, Mr Speaker.

**The Acting Speaker (Mr Noble Villeneuve):** I am hearing a point of privilege.

**Mr Turnbull:** In doing this, I believe that my privileges have been violated. I would ask you, Mr Speaker,

to investigate this violation of my privileges. Further, Mr Speaker, I would ask you to stand down Bill 95, standing in the name of Mr Mammoliti, from debate tomorrow morning until you have reported back to this House.

**The Acting Speaker:** On the same point of privilege, the member for Bruce.

**Mr Murray J. Elston (Bruce):** It's an unusual set of circumstances that we hear of today, the allegation having been made that a drafted bill obtained by the Municipal Affairs ministry for the purposes of some kind of review has somehow, coincidentally or otherwise, shown up under the name of another member. The issue is—

**Mr Gregory S. Sorbara (York Centre):** Theft of legislation.

**Mr Elston:** This is an extremely serious charge. I've never had anything like this before. I've had oftentimes suggestions that the government has lifted pieces of other private members' bills, and we sometimes expect that, but it is unusual to have a set of circumstances that have passed in the manner in which this has.

Where you find an allegation like this, Mr Speaker, I think you have no alternative but to hold off the business of private members' hour tomorrow standing in the name of Mr Mammoliti, until such time as a very thorough investigation has been held into the manner of how this legislation and the issue surrounding its drafting has occurred.

Therefore, in support of Mr Turnbull's request, I ask that you do in fact stand down this private member's bill and that we do get a very full report, in writing, with a ruling from you as soon as practicable. I don't see any other way of dealing with the issue to the satisfaction of the House.

**Hon Ed Philip (Minister of Municipal Affairs):** On a point of order, Mr Speaker: The member for Bruce really does not know of what he speaks. In fact, there is quite a difference between the two bills, as I understand it. I have read the bill for the member for Yorkview—

**Mr Sorbara:** You are going to dig yourself deeper. Anything you say can be held against you in this matter. Be careful.

**Hon Mr Philip:** If the honourable member for York Centre would listen, I think he would understand the explanation.

What I answered to the honourable member who said he was introducing a private member's bill was that I'd be happy to consider any private member's bill that he introduced. I also suggested to him that our staff had contacted officials at North York and indicated that we would be happy to consider a private bill similar to that introduced by the city of London.

Mr Mammoliti, who also represents a North York riding, as I understand it, introduced a bill that is similar—in fact, almost a mirror image of the city of London private bill. I consider that quite substantially different.

I also indicated to the honourable member who said he wanted to introduce the more general bill that we would be considering various recommendations in the Sewell commission report and that we would like to consider



some general legislation perhaps at a later time, but that I would be happy to consider something and support something specific to North York. He chose not to introduce that.

I think private members' hour is private members' hour and we should deal with any bill as we see fit. It is up to the Legislature to pass whatever bill they wish. They may pass both bills if they wish. At that time, it's up to us to decide which will proceed.

**Mr Ernie L. Eves (Parry Sound):** Dealing with the same point of privilege that the member for York Mills has made, I can only speak from my experience in this Legislature. I don't think I have ever seen an experience quite like it in my time here. I think this is a very serious matter and it should be taken that way by every member of the Legislature as well as, with all due respect, sir, by you as the Speaker. I would concur with the member for Bruce and the member for York Mills in their request for the Speaker to look into this matter to see if in fact the member for York Mills's privileges as a member have indeed been somehow violated.

I know that if I put myself in the same circumstance and if, as he alleges the facts to be, the facts are found out to be thus, this is a very serious matter indeed. If he in fact has introduced a private member's bill for discussion during private members' hour, which is supposed to be non-partisan, non-political, and if in fact his bill then reappears in the name of a government member after having been forwarded to a government ministry, it seems like a rather interesting coincidence, to say the least, if the facts are, as I say, as the member for York Mills alleges them.

I regard this to be a very serious matter, and I would ask you just to take this into consideration. I would concur with the member for Bruce that if you are unable to give us an answer by tomorrow morning at 10 am when private members' hour starts, then I would ask you to seriously consider standing down Bill 95 until such time as you've had an opportunity to investigate the facts, to look into the matter and to deliberate and report back to the House.

**Mr Perruzza:** On a point of order, Mr Speaker.

**The Acting Speaker:** The member for Yorkview is

up first on a point of order.

**Mr George Mammoliti (Yorkview):** I was almost out of this place when I listened to the point of privilege by the member across from me, the member for York Mills. I find it to be quite insulting in a way that the member would literally stand up and say that I've stolen his bill. I haven't seen any bill in this place under the name of the member. I haven't read any similar bill by the member. Granted, that might be my fault. Maybe I haven't seen the bill. I don't think there has been a bill or there was a bill introduced before my bill.

If the member were to look in Hansard perhaps over the last three years or even talk to any of my colleagues, including the minister, they will know that this has been an issue in Yorkview for quite some time now and that I have been itching to pass such a piece of legislation for quite some time now.

It's unfortunate that I didn't get an opportunity to pass a bill such as this one previous to the date that I introduced it, but if they were to look at Hansard, they would know that this has nothing to do with the member for Yorkview stealing an idea. It's got absolutely nothing to do with that at all. As a matter of fact, as the member spoke a few weeks ago on this issue, and I did hear him speak on the issue, I appreciated his comments.

I've had my staff working on this for quite some time—

**Mr Chris Stockwell (Etobicoke West):** Oh, give me a break.

**Mr Mammoliti:** I'm hearing, "Give me a break." If he were to talk to even my staff members, they could tell him very clearly that this has been on my plate for quite some time now.

**The Acting Speaker:** Thank you. I believe we've had a good airing. The Chair will reserve a ruling. The Chair is not aware of the private member's bill that went in, the private member's bill that's coming forth. The Chair will reserve and have a decision by 10 o'clock tomorrow morning.

It now being past 6 of the clock, this House stands adjourned until tomorrow morning at 10 of the clock.

The House adjourned at 1812.

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## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Thursday 28 October 1993

# Journal des débats (Hansard)

Jeudi 28 octobre 1993

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Speaker  
Honourable David Warner

Président  
L'honorable David Warner

Clerk  
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Claude L. DesRosiers



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Thursday 28 October 1993

The House met at 1003.

Prayers.

VITAL SERVICES FOR TENANTS

**The Acting Speaker (Mr Noble Villeneuve):** At the end of yesterday's session, the member for York Mills brought forth a point of privilege. The Speaker, at that time, asked for time and will now be providing a ruling.

Yesterday, the honourable member for York Mills, Mr Turnbull, rose on a question of privilege, alleging that the honourable member for Yorkview, Mr Mammoliti, had taken his idea for a bill that he had been working on for a number of months. Mr Mammoliti's Bill 95 was printed on October 15; Mr Turnbull's Bill 104 was printed on October 20. They are both bills with the same general subject matter, but one is specific to the city of North York while the other, Mr Turnbull's, is general in nature. Mr Mammoliti's Bill 95 is up for debate this morning.

While allegations made by the member for York Mills cause me great concern, let me say first of all that there is nothing here that is against our existing standing orders. It is the right of all honourable members to introduce bills and it is not for the Speaker to determine whether or not the origin of an idea for a bill is original to the member introducing it or not. Secondly, there is nothing out of order with these two bills eventually coming to debate and being decided upon by this House at second reading.

As to the question of members' privileges being affected, I can in no way see that that has happened. The honourable member for York Mills still has every right to proceed with his bill and it is not a privilege of members to have exclusivity as to a subject matter. It would even be possible for the honourable member to debate his bill when his turn comes up for private members' hour next week, if the House agrees to waive notice. I would suggest that he consult with his House leader if it is his intention.

I thank the honourable member for all the work that he has put into his presentation and the notes that he has made available to me and I'm sorry that I cannot agree that there is a *prima facie* case of privilege.

**Mr David Turnbull (York Mills):** Mr Speaker.

**Mr Anthony Perruzza (Downsview):** Come on, you ruled.

**The Acting Speaker:** The member for York Mills, there has been a ruling. I will give you a very short time.

**Mr Turnbull:** Mr Speaker, I accept your ruling. I will say that in future I definitely will not provide any drafts of any bills I'm working on to the ministries so that I will not have to have the suspicion of some untoward behaviour.

**The Acting Speaker:** We have very limited time; it's private members' hour.

**Mr Ernie L. Eves (Parry Sound):** On a point of order, Mr Speaker: I've listened with great interest to your ruling and I have heard what you've said. However,

I always thought that the Speaker's place in the Legislature or any parliamentary body was to protect the privileges of individual members. I can recall an issue here some years ago where an individual, who was the member for Riverdale at the time—

**Mr Perruzza:** Mr Speaker, I will give him the book so he can read from beginning to end, all 2,000 pages.

**Mr Eves:** Excuse me, is there an echo in the chamber, Mr Speaker? There's somebody speaking out of place. I'm rising on a point of order.

**The Acting Speaker:** Please, to the member for Parry Sound, we are—

**Mr Eves:** The member for Riverdale—

**The Acting Speaker:** To other members, please, interjections are out of order.

**Mr Eves:** The member for Riverdale at the time, David Reville, wasn't treated with such disrespect as some honourable members of the government party—who happen to be in the same party as Mr Reville, by the way; they might know who he is.

**Mr Perruzza:** You haven't seen him in a long time.

**Mr Eves:** This is a serious issue, whether you respect or appreciate that or not.

**Mr George Mammoliti (Yorkview):** Hurry up.

**Mr Eves:** Excuse me; the member for Yorkview, who steals other people's information, is babbling about somebody standing on a point of order. Give me a break.

**Mr Mammoliti:** Give me a break.

**Mr Perruzza:** That's a point of order, Mr Speaker. Come on.

**The Acting Speaker:** The member for Parry Sound—

**Mr Eves:** Mr Speaker, the point I am trying to make is that the Speaker is here to uphold individual members' privileges. As I started to say before I was so rudely interrupted by members of the governing party, one of their members at one time, the member for Riverdale, had a serious issue about the bank of commerce, I believe it was, CIBC—I stand to be corrected—interfering with a member's privileges. That has nothing to do with the standing orders. There is nothing in the standing orders to deal with it, but the Speaker of the day dealt with it.

This member's privileges, by any *prima facie* factual case, have been abused. As the member for York Mills says, perhaps the only thing to do from now on is never to share any information with this government again, because apparently it doesn't know anything about ethics or truth.

**The Acting Speaker:** Thank you. Could the honourable member please sum up.

**Mr Eves:** Are you telling me, Mr Speaker, that you are going to do nothing about a private member's privileges being abused because there's nothing in the standing orders that says you can do so? Is that the tradition we're supposed to uphold in this place? There has never been a private member's privilege ruling upheld in this

Legislature, ever, because it's not in the standing orders? Is that what I'm to gather from your ruling?

**The Acting Speaker:** Thank you. We will now proceed to private members' hour.

**PRIVATE MEMBERS' PUBLIC BUSINESS**

**CITY OF NORTH YORK ACT  
(VITAL SERVICES), 1993**

**LOI DE 1993 SUR LA CITÉ DE NORTH YORK  
(SERVICES ESSENTIELS)**

Mr Mammoliti moved second reading of the following bill:

Bill 95, An Act to provide for the passing of vital services by-laws by the City of North York / Projet de loi 95, Loi prévoyant l'adoption par la cité de North York de règlements municipaux relatifs aux services essentiels.

**The Acting Speaker (Mr Noble Villeneuve):** The honourable member will have 10 minutes to initiate debate, after which time every recognized party within the Legislature will have 15 minutes to participate in the debate.

**Mr George Mammoliti (Yorkview):** I'll start off, first of all, by apologizing to the member for York Mills. I had no idea that he feels so strongly about my bill. I feel somewhat discouraged by it, and I have to tell you, Mr Speaker, that I feel insulted as well. I meant what I said yesterday when I talked about my activity in Yorkview and the problems that have occurred over the last few years in Yorkview and the amount of work I've done in this particular area.

The member claims that I stole his bill. I didn't steal any bill. I didn't see any of his drafts. I had no idea that he had presented a bill to the Legislature, and as the Speaker said, it was after I had presented my bill.

Having looked at what the member for York Mills has said over the last two days, I have to tell you, Mr Speaker, that I'm very sympathetic towards his bill as well, and if he wants to go forward with his, I will be supporting him on it. I would ask the member to perhaps use his energies not to argue whose bill it is and who stole whose bill and use up time in the Legislature that way, but invite him to work with me on my bill and his bill as well. Perhaps we can work together and try to get something accomplished in this place and try to deal with the concerns that tenants have out there, the real concerns in North York in particular. If he were to use those energies around that particular area, I'd certainly accommodate his energies that way and I'd work with him.

Having said that, I want to thank him as well for the comments he's made in the past in this place. I want to tell him that they're greatly appreciated and that, together, I think we could pass this particular bill fairly quickly.

The bill talks about vital services, and it actually gives North York the right to pass bylaws that would deal with vital services in North York. Mine is very specific, and it's very specific for a reason.

I have had problem after problem with landlords in my particular area, and in speaking to a number of officials at the city level in North York, they continually tell me there's nothing they can do about it, for whatever reason. I want to try and help them do something about problems

that arise in our particular area, North York, when it comes to vital services.

Today there is an article in the Toronto Sun that talks about slum landlords. It talks about how I feel about slum landlords and what they have done not only to my community but to other communities as well. Slum landlords are guilty of not providing not only the essential services that tenants pay rent for but the vital services that they, as tenants, feel are their right to have, whatever time of day it is in the 24-hour span.

I can go through a number of landlords that I feel have neglected their responsibilities in this area and that have literally shut things down, such as water and hydro and elevator services. I think this particular bill will deal with a lot of those concerns. While this bill might not deal with every concern that a tenant might have, it deals with the immediate concerns and it deals with the vital services concerns that tenants have.

Yesterday I held a press conference in one of my buildings in my particular area, a building that we have had problems in for approximately—well, the three years anyway that I have been representing the community. Continually I'm having to go up to that particular building and having to phone the landlord or in this case the landlord's representative, a lawyer, and talk to this individual about what the landlord has neglected this week or this month. The tenants are having to suffer repeatedly because the landlord deals with the elevator problem a day later and forces tenants to climb stairs for a 48-hour period. That happened in this particular building.

These particular tenants have my number at home. I was called out there at approximately 11 o'clock at night one night to try and convince the superintendent that elevators are a very important and vital service to the tenants. The superintendent told the tenants that they've got to wait, that there's absolutely nothing he can do about it because his hours are over and he needs time the next day to phone around.

We all know there are call-out numbers from elevator companies that superintendents can phone. I had mentioned that to him, and with a 10- to 15-minute discussion, I was able to convince the superintendent that it was essential for him to deal with this particular problem at 11 o'clock at night as opposed to 9 or 10 o'clock in the morning, a vital service in my opinion.

I think the bill will deal with North York's concern about its responsibilities. Having spoken with North York recently, over the last couple of days, I've got to tell you I may even have to recommend an amendment to my own bill, because what they're saying to me is that the definitions of "emergency" and "vital services" need to be looked at and that even my definition of "vital services" might not be equivalent to North York's, so I think we need to make that a little clearer.

Thinking about it, and having looked at the situation across North York and some of the problems that have arisen over the last few years, I would like perhaps to even amend my own bill to include security systems in buildings. Some people will argue that 15 or 20 years ago vital services would not include a security system. Over



the last couple of days, and having spoken with some of my colleagues, I would argue that in 1993 security systems are a vital service and that we may want to look at even amending the bill to include that.

I would argue as well that we should look at a number of different areas to be included in vital services that aren't specific in the bill. The language is there, but people might argue that we need to be a little more specific. I'm quite willing to look at security, for instance. I'm quite willing even to look at garbage pickup. In a lot of the buildings in North York, these slum landlords refuse to pick up garbage.

Extermination of cockroaches and mice: Some will argue that that is a vital service as well, and I think we may need to be a little more specific in the legislation to include those. Why? The city of North York, while I was speaking with them, said to me very clearly on one particular problem I had in the example I gave you earlier in that building that cockroaches and mice, for instance, are the tenants' responsibility.

1020

If you've ever lived in a high-rise building you will know it's very difficult to get rid of cockroaches and mice. Tenants aren't able to just, at a snap of their fingers, get rid of thousands and thousands and millions of cockroaches. It needs to be addressed by the landlords.

These amendments are amendments that I think might be necessary and I'd be quite willing to look at.

**The Acting Speaker:** Thank you. The member will have two minutes in response at the end of the debate. Further debate?

**Mr Joseph Cordiano (Lawrence):** I stand to speak on this issue and I am tempted to look at the irony of all this, and the humour in it perhaps is not to be overlooked. I wasn't here in the House late yesterday when these matters were being debated on a point of privilege as to who owned this piece of legislation.

**Mr Anthony Perruzza (Downsview):** Come on, stick to the bill.

**Mr Cordiano:** I think it's important to point this out because this is not a matter that has come before us in quite such a way as evidenced today.

*Interjections.*

**The Acting Speaker:** Order. The member for Lawrence has the floor.

**Mr Cordiano:** I think it's a question of not overlooking the real matter in this. Whether this is taking someone else's bill or whether in fact it amounts to theft of legislation, I think was the line that was used yesterday in the House, is left for others to decide. Obviously, today I want to deal with some of the substantive matters, but I can't help but look at this and be somewhat amused by what has taken place. As I looked at both pieces of legislation, Bill 95 as put forward by the member for Yorkview and Bill 104 as put forward by the member for York Mills, I quite frankly fail to see much difference between the two pieces of legislation, except for a couple of points.

Obviously, there is agreement in terms of the thrust of

the legislation. The highest form of compliment, as they say, is having someone in fact copy what you do. Someone's got to compliment either the member for Yorkview or the member for York Mills. Each of them stand up and compliment each other, I would say, because at this point I don't know who's really to blame for this piece of legislation being drafted in the way it has been.

**Mr Rosario Marchese (Fort York):** To blame? Who do you want to blame?

**Mr Cordiano:** I'm saying around the particulars involved in the way this has unfolded. Let's forget blame for a moment and talk about giving a compliment with respect to who is to take ownership and that, as I said, will be left for others to determine.

Let me just say on the substantive matter—because this is quite an important matter and on principle I am very much in favour of the thrust of this legislation. It is a necessary piece of legislation that I think the government ought to take very seriously. It is in fact very timely and I believe the government will take this matter very seriously.

I know the member for York Mills has been very vociferous on behalf of his constituents and I would also say that the member for Yorkview has made several points about this over the last number of months. Again, I'm not going to allude to whose piece of legislation really counts here, but I would say the government should bring forward a government piece of legislation to in fact deal with this matter. I would also encourage all members on the government benches to support that initiative because I think it would go a long way towards solving the problems that have appeared on this matter.

With respect to how this is best dealt with, I feel very comfortable in the thrust that has been made towards a municipal act, and the comprehensive nature of the bill that Mr Turnbull put forward I think is the right way to approach this. It would allow all municipalities the option of enacting bylaws to deal with vital services. It is long overdue in the sense that tenants should not be left defenceless and having to deal with landlords who are unscrupulous and very much overlooking basic needs and services.

That's simply not a situation that can continue to be tolerated, by virtue of the fact that if people are living in accommodation in whatever municipality across the province as tenants, they have a right to these vital services. That needs to be supported through legislation by the province, therefore, recognizing it legally as a right.

It also speaks to the flexibility which is granted to municipalities in order to deal with the matter on a municipality-by-municipality basis. Obviously in localities where this may not be a problem, it's left to the municipality to deal with in a flexible manner to reflect the local concerns and local needs of that municipality. It very much appeals to me because we on this side of the House and in our party very much believe in municipalities expressing their free will to deal with the matters that would be best dealt with at the local level, and I think this is one of those.

Having said that, I do believe that treatment of tenants should be dealt with right across the province equally, thus mandating municipalities to do the same, in effect bringing this about at the municipal level by virtue of a bylaw. It would in fact be giving municipalities the same access to this power to enact bylaws which would effect these vital services to be a right for tenants.

The government should act on this legislation. If they see the light of day, they would be wise to act on this legislation. God knows, they need some good news for a change. People out there in the province will be looking to this government at this time to deal with this, particularly tenants across the province. This is one of those items that would surely go a long way to at least allow the government to take some credit for something worthy that it has failed to do over the last months, in fact years now, as we put it in the opposition. There are a number of items the government has failed to act on that are as pressing as this.

There seems to be all-party agreement by virtue of the similar legislation that we've seen presented in this House. I would say to the government and the Minister of Municipal Affairs that he should not waste any time in dealing with this matter, making it a priority and bringing it forward to be dealt with. I think he would see that all sides of the House would be in agreement on that. Quite frankly, as I say, it would score a few political points for the government.

I'm sure the member for York Mills would take that if the legislation were enacted quickly. He's been an ardent advocate of this. I think at the end of the day he himself has said the government should make this a piece of legislation that it brings forward, so I encourage everyone to support this legislation.

**Mr David Turnbull (York Mills):** The purpose of second reading of any bill is to discuss agreement in principle. I'm certainly in agreement with the principle which drives this bill.

As you know, I have had some concerns, which I have expressed over a long period of time, that legislation did not exist to allow municipalities generally in this province to be able to enact vital services bylaws.

This would be enabling legislation where the municipality would decide if it needed such a bylaw, and that would depend very much on the kind of demographic profile of that municipality. I suspect most rural municipalities probably wouldn't need this. However, in urban municipalities, we have recognized, with the passage of private bills for Ottawa, the city of London and the city of Toronto, that in fact it is appropriate that we give municipalities the ability to move to ensure the continuation of vital services to a building where a landlord fails to provide these services.

1030

Over the last several months, I have asked questions to the Minister of Housing and the Minister of Municipal Affairs as to whether they would not bring in legislation which would enable all municipalities to do this, and I must say I have met with a great deal of stonewalling from these ministers. As recently as a few weeks ago,

when I suggested to the Minister of Municipal Affairs that I was preparing a bill to enable all municipalities in the province to pass such bylaws, the minister's reaction was first of all that North York didn't want it. He was factually wrong.

Once again we found that the government wanted to play political football with tenants. We know the NDP likes to feel it has a cornerhold on all tenant matters. It just simply isn't true, because in fact the Conservatives have always led this province in terms of bringing forward enlightened legislation to help tenants. This goes back over a 10-to-15-year period that the Conservatives brought in such legislation.

**Mr Perruzza:** They're going to use this bill against you.

**Mr Turnbull:** I see that the member for Downsview is, as usual, heckling. Why don't you just listen to what we have to say?

**Mr Perruzza:** I am listening. That's the point. If I wasn't listening, I wouldn't say anything.

**The Acting Speaker:** Order. The member for York Mills has the floor. You will have your opportunity.

**Mr Turnbull:** The point is, we should not be using this as a political football.

The fact is that my concern was heightened by an issue that arose at 1002 Lawrence Avenue East. Constituents of mine, at the beginning of this year, had some terrible problems with a very unscrupulous landlord whose clear intention was to clear the existing tenants out of the building and then, through a legal process, to come to something which was close to a cooperative housing project but wasn't quite a co-op. I would suggest that those people who have been unfortunate enough to buy shares in that building may have some great difficulty in the future if they ever want to recoup the money they've invested.

The vital services were being withheld in this building as a way of forcing people out of the building. There were many seniors and there were people with young children in the building who were suffering. It doesn't matter what political party is in; we should have as our absolute, single most important aim the protection of those people so that they are appropriately accommodated, so that heat, lighting, water, those vital services, are provided. The whole intent of bringing forward my legislation was to ensure that all municipalities across the province would have the appropriate enabling legislation so that they could do this.

In speaking to the minister in this House and also in committee, I have spoken to the Minister of Municipal Affairs and the Minister of Housing to encourage them to take over this legislation, because the government can achieve passage of a bill far more quickly than a private member. Here we are with the member for Yorkview bringing forward his private bill today, and mine was due for debate next week. I have stopped debate of mine simply because I think we can address it in today's debate. But the point is that the government should have moved at an earlier stage.

As recently as this summer there was a debate in



committee in which there was a discussion of the London law which allowed them to enact vital services bylaws, and a ministry official was asked whether this should not be extended to the whole province. There was one of these nice, fuzzy answers about, "Well, we're thinking about it." But the government hasn't acted, and I'd just like to read the following into the record.

Last week, the Toronto Area Property Standards Officers, TAPSO, which includes the senior property standards officers from the 11 municipalities in the greater Metro area—namely Aurora, Brampton, East York, Etobicoke, Markham, Mississauga, North York, Richmond Hill, Scarborough, Toronto and York—and a representative from the Ministry of Housing discussed Bill 104, my private member's bill, which is provincially focused, relating to the provision of vital services. The group expressed support for the approach of my bill in that if we as legislators have already endorsed the principle individually for Ottawa and London, there should be nothing to prevent us from going on one last step and enacting general permissive legislation. That approach is preferable to the piecemeal approach put forward by the Ministry of Municipal Affairs and the member for Yorkview in Bill 95.

When the standing committee on regulations and private bills was dealing with the London bill on June 2, 1993, the committee members addressed the unsatisfactory nature of attacking this problem in a hodgepodge way through private legislation. The legislative counsel indicated that a policy decision would have to be made by the ministry and the cabinet. The virtue of this commonsense approach was supported by members of the committee across party lines. Ministry policy rep Richard Doherty confirmed that the ministry was happy to be dealing with this on a request-by-request basis and that if more requests came in, they would address general legislation.

Why, then, are we being pre-empted in my bill, which was province-wide in its nature, from moving forward with province-wide legislation?

I have to say to my colleague the member for Yorkview that I would suspect you feel that in my rising yesterday, in some way I was making this a partisan issue. I was not. I will say to you that I was requested by the Ministry of Municipal Affairs some one week before you introduced your bill to provide a copy of the draft legislation which I had prepared. My bill was not completed, because I had consulted very, very widely with tenants, landlords and municipalities.

**Mr Perruzza:** Could we have the names of a few of those people?

**Mr Turnbull:** You can indeed. The point is that I believe on an issue like this there is no reason to turn this into landlord against tenant. The good landlords of this province, I have to tell you, were overwhelmingly supportive of my legislation. Why is that? Because they view their tenants as their customers, as they should do, and they understand that it is essential to provide the services those people have contracted for.

In his opening comments, the member for Yorkview suggested that perhaps security systems are a vital service

and that they should be provided. Perhaps, but I have to say to you that under the present regulations which exist since the passage of Bill 121 by this government, there simply isn't any money for most landlords to be able to do this.

I believe Bill 121 was a fatally flawed piece of legislation and I believe it should be revisited, because we have the situation that some landlords who had their mortgage paid off and had done a lot of renovations in the few years under the Liberal legislation probably have fabulous returns on their investment. Those buildings which had changed hands during those latter years immediately prior to the election of this present government and had large mortgages were probably irreparably harmed by that legislation, and the lack of the ability to flow through the cost of substantial renovations has harmed the ability of landlords in many cases to be able to provide the services.

1040

What I am going to say in wrapping up, because I must leave my colleague just a few moments for his comments, is that we should move this legislation out to a standing committee. I am not allowed in private members' hour to move an amendment, but I would take it out to committee and I would then suggest that we enlarge the scope of this legislation so that all municipalities are able to pass such bylaws.

The cost to London in preparing its private bill was some \$13,300, and that is without counting the cost of in-house counsel and staff time. That's just their disbursements that were involved. It took them several years to bring it. I'm not talking several years of continuously working at it, but several years to get it to fruition.

We should be able to give any municipality the blanket ability to move now. So I would hope that in his closing comments, my colleague the member for Yorkview would comment on his support for that type of amendment, which would allow the municipalities to help tenants, which should be the job of all legislators, and it shouldn't be turned into a political circus.

**Mr Perruzza:** It is indeed a pleasure for me to be able to take a few brief moments to participate in this debate here this morning on Bill 95, An Act to provide for the passing of vital services by-laws by the City of North York, introduced to us this morning in a timely way by the honourable member for Yorkview, Mr Mammoliti.

I don't see this as a bill that will impact on all landlords in the city of North York. Most of us will have witnessed in the last round of these debates when the Liberals championed a rather different cause, and our Conservative colleagues, and primarily the member for York Mills, who stood in this place and championed the cause of landlords and who, quite frankly, has done a backflip here this morning because he is now the champion of tenants. I say to him that the champions for tenants sit on this side of the House and not on that side of the House, and I can tell you there's a long history and we have extensive Hansard to show on all those fronts.

But what's important to note is that during the last debate, and according to Ministry of Housing statistics, over 70% of landlords are good landlords. They provide decent places to live and charge fair rents. Those are good landlords, and this legislation does not impact on them one iota. Then there's a whole bunch of other landlords who are reasonable landlords. Sometimes they forget and they neglect, but when they're reminded, they act, and they act on their own volition. This does not impact on them either. This piece of legislation chases those who are not good landlords, who neglect their buildings, who neglect—

**Mr Turnbull:** Mr Speaker, on a point of personal privilege: I would ask the member for Downsview to withdraw the comment that he has Hansard which suggests that I was a champion of landlords. In fact, I was a champion of good legislation which would ensure that tenants had decent accommodation and that they continue to have decent accommodation.

**The Acting Speaker:** Thank you. The member for Downsview.

**Mr Perruzza:** I hope you give back me the two minutes he ate out of my time.

In any case, this is a piece of legislation that chases bad, negligent landlords, people who are in the business to maximize their profits, not just simply to make a profit but to maximize, and who abandon their obligation to their tenants.

Hence, the member for Yorkview introduces a bill which says, "The purpose of the Bill is to allow the City of North York to pass vital services by-laws so that vital services such as electricity, gas and hot water can be provided to the occupants of rented premises when the landlord fails to provide them." That's the key, "fails to provide them." They walk away, shirk their responsibilities, fail to provide vital services. That's who this bill is intended to get.

Now you have an awful situation. You have cases like a case which I'm going to allude to here this morning of a particular landlord, a landlord who, quite frankly, doesn't give a hoot about his tenants in his building. The municipality's hands are tied; they can't do anything to affect landlords who shirk their responsibilities to provide decent places to live.

We have 4750 Jane Street—there are other examples, but this is one of them—where tenants live under shoddy conditions and they pay darn good rents; in fact, premium rent.

In one particular case, there were countless letters and a paper hurricane with the city and bylaw enforcement officers from the city contacting the landlord. This started around April 22, 1993, when the letters started going back and forth. This tenant has cockroaches in his refrigerator because the rubber seal on the door of that refrigerator has been broken and the landlord refuses to fix it, along with a number of other deficiencies. This particular unit has had 25 deficiency orders registered against it by the municipality since April 22, 1993. We are today at the end of October 1993, and nothing has been done to date to rectify this bad situation.

So we have an individual here with cockroaches in his refrigerator, and the municipality is impotent in the face of all this because currently they can do very little. They'll drag this guy up before their property standards committee. Eventually they'll issue another order against him to comply. Perhaps a year or two years from now they'll end up in court and at some point somebody's going to have to come along and replace that washer, and maybe the cockroaches won't be able to get into that refrigerator any more.

This bill gives the municipality teeth to be able to say to this shoddy landlord: "Fix it. Fix the problem, because if you don't fix it we'll get on the phone, we'll get somebody in there to fix it for you and then we will bill you for it. If you don't believe you'll be able to pay your bill, we can place a lien against your property. If you don't believe we can take the money from you that way, we'll be able to levy it on our tax bill and, quite frankly, you will pay and you will fix the unit and you will provide the tenants with a decent place to live."

If all that fails, they will have the power at that point to say to the tenant, "Redirect your rent to us and we will pay the bill to fix the refrigerator, to repair your wall, to fix the garage door" which hasn't been working for several years and cars are being vandalized and it makes the place dangerous for people late at night. The city can say: "We will come in, we will fix it and we will have the power to extract the money for that from you. So, landlord, don't shirk your responsibility. Be responsible in what it is you are doing, because if you're not, we will make you a responsible landlord." That's what this bill does.

1050

For my Liberal colleague here this morning to stand in his place and say: "Gosh, this is a bad bill. Golly, this is like a bad bill. Why are you guys doing this?"—

**Mr Turnbull:** He didn't say that.

**Ms Dianne Poole (Eglinton):** He didn't say that.

**Mr Perruzza:** Of course he did say that; it's in Hansard. I heard him, you heard him and we'll be able to get it from Hansard later today. Absolutely. That's precisely what he said. For him to simply say that is—

**Ms Poole:** He didn't. He didn't say anything of the kind.

**Mr Perruzza:** —quite frankly beyond me, because this is a good bill. I think it's a timely bill. It's not a bill that purports to go on a witchhunt and chase every landlord in the province of Ontario—actually, in the city of North York because it pertains exclusively to the city of North York. What it does say to the bad landlords is, "Don't shirk your responsibilities to provide your tenants with a decent place to live." That's why I'm going to support it and that's why I ask every other member of this Legislature, on both sides of the House, to support it.

**Ms Poole:** I am pleased to enter into the debate today. I first became aware of this particular problem when I visited the Cheyenne apartments in London when I was Housing Critic for the Liberal Party. I went and I talked to the tenants and I found it really deplorable that in fact they had had their vital services cut off, that the city of



London was attempting, in all good faith, to remedy the situation and yet there was no legal manoeuvre for it to do this because of provincial legislation. In fact, I was absolutely astounded to find out that it required provincial legislation in order to empower the city of London. When Irene Mathysen brought forward her bill last year, I was extremely supportive and suggested to my caucus that we should give that bill our support.

When this bill, Mr Mammoliti's bill, was first brought forward and I looked at it, I thought, "This is a similar bill to Irene Mathysen's, which attempts to do the same thing," and two things crossed my mind.

The first was that this was becoming a more widespread problem and perhaps, instead of doing municipality by municipality across the province, we should have one bill which would empower municipalities to pass their bylaws instead of having to come back to the Legislature year after year and pass yet one more municipality.

The second thought that crossed my mind when Mr Mammoliti introduced the bill was that obviously there was a problem in North York, one of our Metro municipalities, and that it should be dealt with and, although my preference was to see it dealt with on a widespread basis, that I would support this bill.

I was really quite astonished when I was sitting here last night and the member for York Mills stood on a point of privilege and said that he had raised this with the Minister of Municipal Affairs and the minister had asked him to send over his draft bill. This was long before Mr Mammoliti's bill was even printed and, I suspect, given the circumstances, it may well have been before Mr Mammoliti thought to do this.

It disturbed me, because normally I would give the honourable member the benefit of the doubt and say he's acting on behalf of his tenants and maybe it was just a marvellous coincidence that these two bills came forward at the same time. But I had a rather unfortunate experience with the same member, Mr Mammoliti, the member for Yorkview, almost a year ago in private members' hour when he put forward a resolution concerning co-op conversions. At that time again it would seem like a great idea, where it was actually talking about having a pilot project to convert public housing to co-ops and allow the tenants a great deal of management say.

But what distressed me when I was doing my homework as Housing critic at the time was that I phoned the Co-operative Housing Association of Ontario, which we know as CHAO, to see if it had any comments on it. They said, "We've had a working group working on this for a year; in fact, for the last few months we've been working with the Ministry of Housing to develop this pilot project" and an announcement was imminent. I went back to the resolution and said, "But there's nothing here giving credit to the co-op movement." This was indeed not Mr Mammoliti's idea; this was the co-op movement's idea, and he didn't give any credit.

The next morning when I came in, I listened to his speech carefully to see if in fact he would give credit to the co-op movement, to CHAO, and he gave nothing. He took the ideas as his own, peddled them as his own, and

he took what I thought was a very worthy project by the co-op movement and tried to take his own credit for it.

**Mr Perruzza:** Does that make it less worthy?

**Ms Poole:** It certainly does not make it a less worthy effort, but it is unworthy of the member to have taken credit.

**Mr Perruzza:** On a point of order, Madam Speaker: According to the standing rules of the Legislature, when we speak to bills in this House, we refer to the bills that are before us. If the member is on some kind of witchhunt on another matter or on some other issue, then that should be clear—

**The Acting Speaker (Ms Margaret H. Harrington):** This is not a point of order.

**Mr Perruzza:** —and she should bring the motion to this House that speaks to that so we can all debate it.

**The Acting Speaker:** To the member, I have made a ruling that this is not a point of order, and I would caution this member and the previous member not to impute any motive to any other member.

**Ms Poole:** I thank you for that ruling. This is a very important point, because it cheapens a bill or a resolution if you have this kind of acrimony. There are certain bills in this House and certain resolutions on which you do have goodwill among all members, that they think it's a good idea.

By the way, I really take exception to the member for Downsview's comments about the Liberal critic being critical of this bill; in fact, his comments were very supportive. I don't even know if the member was in the House at the time. I was watching it on television, and I certainly did not get that impression from the Liberal critic.

It is very important when we have a bill like this to work cooperatively, not to take other people's ideas but to work together for the benefit of our constituents. I find it very unfortunate that this is now the second incident in which a member of the government, the member for Yorkview, has been accused of borrowing somebody else's idea and taking it as his own. I think it's very unfortunate, and I don't think it speaks well when that type of thing happens in this House.

**Mr David Johnson (Don Mills):** All residents of the province of Ontario have the right to clean and decent living accommodations that are properly heated and served by all the necessary utilities. It is unfortunate that it is necessary to pass legislation to guarantee this basic right.

This legislation must provide the protection tenants need from a small number of landlords who have neglected their responsibility. At the same time, we must be cautious that the legislation does not go beyond what is required so that it acts as a disincentive to the majority of landlords who are responsible. If this occurs, then the legislation may be counterproductive.

From my experience in many years of municipal life, I've found that the property standards regulations that are in place work for the majority of landlords who are responsible. The municipalities can work with them and

decent accommodations can be provided.

For the minority of landlords who will not obey the requirements, there is a real problem municipalities have, both with the living accommodations, for example, plaster, leaking toilets, leaking faucets, appliances that don't work, any number of facets of rented accommodation that are unacceptable—the municipalities have a problem in terms of enforcing the property standards, because they need more authority—and the vital services bylaw will help them address gas, electricity, water, those kinds of services which certainly need to be addressed.

The member for York Mills has been providing excellent service for his constituents, particularly at 1002 Lawrence Avenue in a case where a landlord has simply abandoned the building, has gone away, and the gas is turned off. At this time of the year—at any time of the year, frankly, but particularly at this time of the year—that's been a tremendous hardship for the tenants. I must commend the member for York Mills for his actions and for his foresight in recognizing that we should have a bill that pertains to all of the province of Ontario and not just to one city.

1100

**Mr Ron Hansen (Lincoln):** I'm in support of the member for Yorkview on this particular bill.

I think enough members have been talking about the issue in London. I sat on that committee with some other members in the House here and we passed a bill, which was Bill Pr13, on June 2, 1993. The presentation that was made by the city of London showed the deterioration of the apartments, and it wasn't the tenants' fault, the condition they were in. The grass was uncut, toilets were leaking. A lot of them had fixed up to a certain point, but a lot of them were moving out and there were a lot of empty apartments. With the empty apartments came rats.

I believe that this bill will provide for the member in Yorkview, but I think what was brought up also in that particular bill was that it be taken a look at for more of Ontario. If the member could wind up getting this bill through for Yorkview, then I think it would help his residents in that area, but I'd like to see an amendment to the point that it cover all of Ontario.

I know the member for Yorkview has looked at tenants and their problems out there and I think he's a very dedicated member to look after the tenants in his riding. I think there has to be some balance between tenants and landlords and I think this is some balance. You have to say that the basics in your life are shelter, food and good health. I think it's one of the most basic things, that your place of living is important for you and your family.

Again I say that I can support this bill and I'll be voting yes on second reading, and I imagine just about every member in the House will have the same opinion.

I find that some of these buildings, as they deteriorate, are reassessed at a lower value and I think the municipalities lose money on this also, but I think we should make sure in the bill that the cities are no longer the bill collectors. I think that when people are paying their rent, they're already paying in their rent the cost of hydro, heating and the services in that particular building.

I know the member for Yorkview is looking for some amendments to his bill, and, as I say, I'll be supporting this bill.

**Mr Mammoliti:** Let me just start out by thanking all who appreciate the bill and want the bill passed. I think that was a very consistent message.

Let me start out by of course telling the member for York Mills that at this particular time I don't see a problem in looking into province-wide legislation. I think it's something worthwhile looking at. But in order to make me a little bit more comfortable, I'd like to have a chat perhaps with some of the municipalities and maybe a committee, if this goes to committee. That might be an opportunity for us to do that. I could certainly work with him on that, and hopefully that particular amendment that he's looking for might be in order.

Secondly, for the member for Eglinton, I'm a little disturbed that she's rambling on about everything except the bill. She talks about stealing bills, taking credit for bills. If everybody wants to take credit for the bill, let them take credit for the bill; I don't care. As long as the bill passes, it's fine with me.

But you stand up and you give an example about co-op conversion. The member surely knows that members out on the street can't come in here and pass legislation, that they need members to be able to come in here and utilize this time in private members' hour to pass the ideas that are out there—

**Ms Poole:** It was a resolution and you took credit for it.

**Mr Mammoliti:** Yes, of course the co-op people did a wonderful job and they knew that because they were meeting with me on a regular basis in my office and they helped me put that piece of legislation together. So when I came in here, it wasn't just my idea. There were ideas out there from the co-op movement that helped me with that particular piece of legislation. They can't come in here and pass the legislation. They needed me to do it.

Perhaps the member was a little upset and still is a little upset that I beat her to the punch, I don't know, but that's what happened back then. For you to stand up here and bring that up in an argument like this I think is totally out of order, and if I was the Speaker, I would have ruled you out of order—totally inappropriate.

*Interjections.*

**The Acting Speaker:** Please take your seat. I would ask the member not to be provocative. We must respect each others' opinions. Would he please proceed.

**Mr Mammoliti:** I'd like to also thank the member for Lincoln for his remarks. I appreciate his support and I know he's looking for it to be province-wide legislation as well. I'm quite willing to accommodate that.

As I said, I'm going to try and refer this to the general government committee, and I'm hoping that everybody can agree with that. If we get it to a committee, then we could talk about not only the amendments that the member for York Mills wants—and I'm hoping I can work closely with the member on this bill so that we can expedite it and pass it through quickly; we know that this is needed—but also the amendments that even I want.



after yesterday's meeting with those tenants in my riding who are saying very clearly to me that the vital services should also include security systems and garbage that isn't picked up in hallways and is left to rot and smell throughout the building. That is a vital service as well, so perhaps we could look at some amendments that tenants are looking for in this particular case. The general government committee I think might be able to look at these amendments and pass them. It might be a good avenue for us to take. I'd like to see it go there.

The issue yesterday in my particular riding with slum landlords is very pertinent to this piece of legislation. I believe that when slum landlords live in—let me give you an example. In a small building in my riding recently I tried to track down a landlord who lives in China, for crying out loud. He lives in China and he owns a building at Jane and Eddystone in my riding.

This small, four-storey building has had a number of problems and I can clearly say that this guy is, in my opinion, a slum landlord. I couldn't get hold of him because he lives in China. There's no way for me to talk to this guy to get the vital services that these tenants need, because he lives in China. So for those who argue that this has nothing to do with slum landlords, I disagree with them.

**The Acting Speaker:** The member's time has expired.

**Mr Mammoliti:** This, in my opinion, has everything to do with stopping some of the stuff that's going on—

**The Acting Speaker:** Would the member take his seat.

**Mr Mammoliti:** —in our buildings. Thank you for listening to me and I appreciate it, Madam Speaker.

**The Acting Speaker:** The time for ballot item number 1 has expired.

1110

#### HIGHWAY CONSTRUCTION

Mr Daigeler moved private member's notice of motion number 25:

That, in the opinion of this House, since in December 1992 the Bob Rae government postponed indefinitely the completion of Highway 416 between Century Road and the 401, and

Since this delay breaks the promise made by the NDP Transportation Minister Ed Philip in November 1990 to honour the Liberal government's commitment towards a 1999 completion date, and

Since the 416 postponement and the recent decision to charge significant fees for the Wolfe Island and Glenora ferries proves clearly that no one is fighting aggressively within the NDP government for the interests of eastern Ontario, and

Since the building of a four-lane link between Ottawa and the 401 has been a transportation priority for people in eastern Ontario since 1966 but was basically ignored by successive Conservative governments, and

Since for the first time a formal commitment was made to this project and moneys allocated by Liberal Transportation Minister Ed Fulton on June 12, 1989, and

Since Liberal Transportation Minister Bill Wrye in a

July 3, 1990 letter to Nepean MPP Hans Daigeler promised the completion of phase 1 by 1995 and of phase 2 by 1999, and

Since the quick completion of Highway 416 topped the 1990 election wish list of Ottawa-Carleton's business community, and

Since from 1985 to the fall of 1992 there were 39 deaths and 721 reported accidents on Highway 16 with 90% of them happening between Century Road and the 401, and

Since area Conservative MPPs Bob Runciman, Norm Sterling and Noble Villeneuve have failed to ask questions in the House about this matter as requested of them by the Grenville Business News in March 1993, and

Since Ottawa-Carleton regional council in a motion of January 13 strongly urged the province of Ontario to stand by their commitment to complete the construction of Highway 416 from Highway 401 to Highway 417 by 1999,

Therefore, the Bob Rae government should be asked to re-establish funding for the construction of Highway 416 in time for the 1999 completion date as planned by the Liberal government and confirmed by NDP Transportation Minister Ed Philip in November 1990.

**The Acting Speaker (Ms Margaret H. Harrington):** Pursuant to standing order 96(c)(i) the member has 10 minutes to debate.

**Mr Hans Daigeler (Nepean):** I'm really pleased to be able to address a subject that is of great importance for the people of eastern Ontario and I think for all the people of the province. What we're talking about here is jobs, what we're talking about here is improvement of the economy, what we're talking about here is making sure that we've got the infrastructure in our area, as an example, but in other parts of the province as well, that will help tourism, that will help small business people, that will help transportation companies to get to each other quickly.

What we're talking about today is job creation, is supporting the business community in eastern Ontario, and since a major project such as highway construction frankly involves companies that are not necessarily located in eastern Ontario, this motion and this project of the completion of 416 can be and is of interest to businesses and workers in other parts of the province as well. So I'm very pleased to again, because I've done so many times before, put myself on the record and put the Liberal caucus on the record towards the earliest completion of Highway 416 possible.

Obviously, when I put forward this motion it was quite a few weeks ago, because according to the process in this House we have to submit to the Clerk the motion well ahead so it can be printed and can be circulated among the members. I was pushing at that point, about four weeks ago, very much out of an interest to get the provincial government going again on this initiative because, as I said in my motion, unfortunately about a year ago, in December 1992, the Minister of Transportation very quietly, without making any kind of announcement, put on hold the second phase of the 416. He said,

"We'd still like to complete it but we don't have any money and therefore we're not proceeding further with that second phase."

Frankly, if it hadn't been for myself, with the help of Leon Korbbe from CJOH-TV, we wouldn't have found out about the fact that the NDP dropped its commitment towards the completion of the 416 in time for 1999, which is still more than five years away. We're still a significant time away from 1999, and they put it on hold indefinitely, which would prolong the thing for at least another five years, well into the year 2000. That is just not good enough for the people of Ottawa-Carleton, and not just for where I'm from but for all of eastern Ontario.

When we were able to uncover this unpleasant news, there was a lot of reaction already in eastern Ontario, in Ottawa-Carleton, and at that time we urgently requested—and a lot of councillors and municipalities in the Ottawa-Carleton area, and not just in the Ottawa-Carleton area but in Kemptville and Prescott, a lot of people there were very upset and very concerned that a commitment that was made by two successive governments, by the Liberal government and the NDP government—because the Minister of Transportation, Ed Philip, assured us in this House, assured me, and then I asked as well the new Minister of Transportation, Gilles Pouliot, whether he still was committed to the completion. I asked him at a committee hearing, and he said, "Yes, we're still committed." All of a sudden, he changed his mind, and no longer were they going to continue with this. So I have been pushing for the completion of this project for quite some time, and so have my Liberal colleagues in the Ottawa-Carleton area.

In addition to the fact that I wanted to get the NDP government to get moving again on this project, obviously we've had a very important event happen on Monday, which I think adds tremendous opportunity to my motion and to this debate today. Obviously, we have had a significant change in the federal government, and I think a significant change for the better, because the federal Conservatives did not want to contribute anything towards infrastructure and job creation projects across the province, and the 416 was one of them.

We know that the Toronto people were calling for a federal contribution towards the trade centre here, and we know that other areas were asking for a contribution from the federal government. The Tories did not come through with any kind of substantive promise, and we know what happened to them.

Yes, they were concerned about the deficit and they were concerned about spending money, but at the same time they realized there was a connection between spending on infrastructure, roads and schools and things that will last, and just giving increases to transfer agencies, to civil servants and other expenditures that don't leave a lasting impact. At least with infrastructure projects, we have something there that generations of people will be able to benefit from.

With the election of the federal Liberal government and Mr Chrétien's promise of federal support towards just these types of projects I think we have a fantastic opening for the province to come back on stream and to say,

"Since the federal government is willing to contribute"—at least he has promised—"we want to see that now, and we are ready to come back on track as well."

That's what my motion is all about. As soon as the new federal Transportation minister is named, I will send him a letter by fax, saying first of all: "Congratulations. I think it's great that we finally again have a Liberal Transportation minister." The second part of my letter is going to be, "How about a federal contribution towards the completion of 416?"

You can be assured that I will be pushing very hard with my Liberal colleagues in the Ottawa-Carleton area, both provincially and federally, because I know they're all on side. I know they're all committed to this project, so I will be pushing with them very hard and very quickly and right there. Frankly, that's the important part, and that's where I've been missing the Tories.

As I said in my motion, we've heard very little from the eastern members of the PC caucus about the 416, even though I was at a meeting, I think it was in May or April, in Kemptville, where the business community of that area was calling on its representatives. That area, Kemptville, is just to the south of my riding; it's no longer a part of the Ottawa-Carleton region. However, because the 416 will connect the Ottawa-Carleton region, through Kemptville, through eastern Ontario, with the 401, that project is of great importance for the business community and the economic future of that part that's represented by Mr Runciman and Mr Villeneuve and Mr Sterling as well.

We've heard very little from them, even though they were asked at that meeting to keep hammering away at this. I understand that. If you want a project, you have to persevere. You can't just say, "Too bad; I'll give up."

1120

**Mr Gordon Mills (Durham East):** Just stick with it.

**Mr Daigeler:** My motion today is a clear indication that I don't give up. Like the member says, you have to stick with it. You're quite right; you have to keep at it, because this isn't just a pet project for myself. This is not just something that is of interest to me personally or of political importance or significance. There are jobs at stake. And it costs quite a bit of money, I agree. It's over \$200 million now for the remaining section of the 416 and it is an expenditure that's significant.

But, as I say, with that expenditure, there are a lot of construction workers in eastern Ontario and across the province who are looking for a job and who are looking for precisely the types of jobs that road construction brings.

I have only 21 seconds left right now. I think one of the worst things in the federal campaign was when the federal Tories were downplaying the significance of road workers and of people who are building and masons and people like that. I thought that was outrageous. So this kind of project I am very much in favour of. Not everybody can be a high-technology worker, and this is a project that will support labour across the province.

**Mr Noble Villeneuve (S-D-G & East Grenville):** I rise today to address the private member's motion of the



member for Nepean. I must tell you first of all that certainly I and my colleagues in the Tory caucus have been pushing very hard for Highway 416.

It's very interesting to notice that the member for Nepean is playing politics. I don't know if the word "demagogue" is a good word or not, but it says, "Do as I say and don't do as I do," and that's exactly what we've got.

I'll just set the record straight this morning for you, Madam Speaker, because the member for Nepean has very conveniently forgotten a whole number of things.

The most recent meeting that I attended was in the summer, immediately after the election was called. The member for Nepean says he was there in April. If he was there in April, I'm sure I was there. But I was in Kemptville at the Kemptville College of Agricultural Technology and the incumbent member for Leeds-Grenville, a Liberal by the name of Jim Jordan, promised at that time that the government of Canada, if indeed it was a Jean Chrétien government, would pick up a third of the cost of 416.

**Mr Daigeler:** That's right, \$60 million.

**Mr Villeneuve:** Well, I'm sorry, your facts are wrong, because this highway will cost \$400 million to complete. So that's \$133 million Mr Jordan committed, and we fully expect that if they're not demagogues, they'll come through with it. That was a promise that was made before a number of people in Kemptville in the middle of the summer. I want the member for Nepean to remember that.

I have had occasion to visit a number of the service roads that are being built right now, and the service roads are creating problems for the local municipalities because the government of Ontario will set them in place and then turn them back to the municipality for them to maintain. So that's a problem and I have been dealing with the Ministry of Transportation, trying to address these problems that municipalities, particularly Edwardsburgh, will have with that kind of return to them of service roads that are now being built.

I've been onsite and they're building the bridge over the Nation River and things are progressing reasonably well, in view of the fact that we had a Liberal government from 1985 to 1990 and now a socialist government.

But prior to 1985, I must tell you what happened. There was a government in place known as the Progressive Conservatives, and they acquired 98% of the right of way by about 1982. I was involved as an appraiser working for the individual land owner to attempt to make a decent deal with the government. By the early 1980s, completion of land acquisition, 98% of the land was acquired. Funny that the member for Nepean didn't mention that. In 1985, lo and behold, the government changed. The consulting was done by early 1982; the acquisition was complete by that time. In 1985, we have a Liberal government. No announcements on 416 immediately, construction or completion or even a schedule. We pushed and we pushed.

You may recall that we had big tax increases in those days, double inflation and one year I remember triple

inflation. Nothing was being announced. Environmental hearings continued in 1986 and 1987. In 1987, the Queensway link was finally approved for construction to begin in 1991 and completion in 1996. First inkling that the Liberal government of the day even knew that something was going on.

On February 15, 1989, the Liberal Transportation minister of the time refused to provide a schedule for commencement and completion of the construction when I asked him in this Legislature. Andy Brandt, the interim leader of the Tories, asked the same question, February 1989, and it's reported in the Citizen. The member for Nepean never even said boo. He didn't exist at that time.

But would you believe that in March 1989, all of the Liberal members from eastern Ontario were called to the Coach House restaurant in Kemptville? Mr Fulton, the then minister, showed up. Lots of fanfare; lots of cameras. "We're going to finish it by 1999." The only thing he omitted was to put funding in place. It never happened. A big announcement, lots of media, lots of hype; no money. Yet the same government that had no hesitation in doubling and tripling the taxes in relation to inflation. Those are the facts.

In 1989, Ed Fulton in June reconfirmed, "We're going to have a highway from 401 to Ottawa, 1999." Fulton also announced the Queensway portion would be finished by 1995, a year ahead of schedule, and that construction on the remainder would begin in 1992. However, ministry documents from 1987 show that completion of the Queensway section was expected in 1995 and that the Liberal announcement would maybe speed it up by a couple of months. But we got some media hype. We got the Liberal members from eastern Ontario with their mugs in the paper saying great things. Interesting.

The NDP government continued its tax-and-spend, and I have to have some sympathy for the Minister of Transportation. I have spoken with him on numerous occasions—

**Mr Daigeler:** Are you in favour of the completion?

**Mr Villeneuve:** Ever since I was elected, I've been pushing for the completion of 416. For this member to have had the audacity of attempting to belittle the work done by eastern Ontario MPPs I say is an absolute fallacy. It's hard to remain in a mode that is parliamentary, because I think this is why we the elected people are sometimes frowned upon very, very consistently by the public. They are very cynical about us for exactly the type of motion that is coming in this morning. The Minister of Transportation has told me that through Jobs Ontario, funding is expected to be in place to complete the northern portion of 416 by 1996 and that it is indeed on track. We can get up every day in the Legislature and question and, as we did when the Liberals were here, get no responses. The work is being done behind the scenes.

We had three young ladies very tragically killed early this year. My letter went to the Minister of Transportation: "More bad news on Highway 16. Please remember your commitment." He replied several months later, and I appreciate that. It doesn't have to happen in the hustle and bustle of the Legislature.

I have provided to the road construction groups of Ontario the information on privatization of roads. They are looking into it right now, along with the construction industry of eastern Ontario. Has the member for Nepean done that? I don't know. He wants to get up in the Legislature and make noise so that he can make a little bit of headline.

I have two more of my colleagues who want to participate. I will support this motion, but this motion is why MPPs are considered to be very, very cynical people.

1130

**Mr Derek Fletcher (Guelph):** It's a pleasure to be able to rise today to speak against the resolution of the member for Nepean.

One of the things I have to speak against, as the member has already said, is the way you're playing politics with this. Let me come to the defence of the eastern members, whether they be from the Conservative Party, the Liberal Party or the New Democratic Party. They have worked very hard for their region. In fact, if I remember correctly, it was the member for Prince Edward-Lennox-South Hastings, Mr Johnson, who first raised the issue of the ferry expenses in his riding. Also, the member for Kingston and The Islands, Mr Gary Wilson, has been very vocal on that issue and many issues that do face eastern Ontario.

As you know, the ministry's original announcement for Highway 416 was made by the former Liberal Transportation Minister, Mr Fulton, that phase 1 would be completed by 1995 and phase 2 hopefully by 1999, but the completion of phase 1 was delayed due to some engineering complications. Then in December, the ministry announced that phase 2 was being delayed because of limited funding.

The development of Highway 416 is hopefully to allow travellers to reach their destinations and for businesses to be able to deliver their goods and products in a more efficient and effective way. It's also expected to stimulate some economic growth in the region and provide a high-quality access route to the nation's capital.

But phase 1 and phase 2 are distinctly different projects. Phase 1 is a high-priority project and it's designed for freeway standards. This is going to increase highway service and it is significantly going to reduce congestion on the road. Phase 2 of Highway 416 will continue the freeway into more rural areas south of Ottawa, and it's going to provide safe and high-speed construction. While preparation work continues for phase 2, from Highway 401 to Century Road, the completion date of 1999 is not as high a priority on our list as the completion date of phase 1.

As the member for Nepean was saying, with the new Liberal government in Ottawa they may be able to get some funding. In fact, the Financial Post of October 28 says:

"The new Liberal government could pave the way for speeding completion of Highway 416 to link Ottawa with Highway 401 between Toronto and Montreal, an Ottawa MP said....John Manley, formerly the Liberal transporta-

tion critic and a leading candidate for Transport Minister"—maybe—"said that, 'There's the potential for federal money to go to that project.'"

Is that like when Jean Chrétien during the election campaign was saying, "We're going to nix the airport deal," and then all of a sudden it's, "We're going to review the airport deal"? Is that where the flip-flop comes in? I think that's part of it also.

I think there are also a number of other things we have to look at when it comes to funding of highways. There are alternative ways of funding the phase 2 project. In other areas of the province—Highway 407, for example—innovative funding has included the use of private sector consortia and also tolls to pay for the new highway services. That is going to work quite well in the province of Ontario. I think in the Ottawa area we have to look at some of the different ways that we can fund highway construction.

One of the other things that I think we have to look at is the rationale around construction of Highway 416. The number one priority has to be phase 1, and that is where the government is going. The government has already spent a lot of money around the Ottawa area for construction of roads, for construction of overpasses—

**Mr Daigeler:** Any more than anywhere else?

**Mr Fletcher:** We have spent a lot of money in your area.

**Mr Daigeler:** Any more than anywhere else?

**Mr Fletcher:** Well, you don't just spend in one area and not in another area. There's a whole province that this government has to look at. Everyone is getting their fair share in this province. In fact, I think if you check the Ministry of Transportation's funding, we're looking at spending billions of dollars on infrastructure upgrading, but phase 2 at a cost of about \$225 million for a 60-kilometre section does not carry the same rationale as we can see around other parts of the province. In fact, if you go to northern Ontario and the four-laning of Highway 17, I'm positive the Liberals said they were going to do that also, and that hasn't been completed either.

It's unfortunate that the politics of the day have to be played in this Legislature. I do believe the member is strictly playing politics with this issue. It's a local issue that will bring the kudos out and get him ready for the next election. But don't take all the credit for what's going on because, as I said earlier, there are many members from eastern Ontario who have fought long and hard, and probably much harder, to try and make sure that eastern Ontario is not neglected by this government.

**Mrs Yvonne O'Neill (Ottawa-Rideau):** I rise today to participate in the debate on the motion of my colleague the member for Nepean. The construction of Highway 416, providing a four-lane highway link between Highway 401 and the national capital, is a long-standing, long-awaited priority for my community of Ottawa-Carleton and many, many other communities in eastern Ontario.

As every member in this House is aware, the building of such a major highway is a massive undertaking requiring many years of planning, the acquisition of property, environmental assessments and zoning changes.



But a project of this nature also requires political will, political will to push it through all of the required processes and hoops and to provide adequate funding for each stage of construction.

The presenter, the speaker for the government this morning, has not given me any assurance that there will be any political will, any political hoops to be jumped, on phase 2 of Highway 416. I'm sure the people of Ottawa-Carleton are going to be quite disappointed, disturbed, angered by the comments.

A serious commitment to this project was made by the previous administration of this province, and many references have been made to that this morning. Realistic time lines were established, funding was allocated, plans were drawn, environmental assessments proceeded and negotiations were undertaken to fulfil land acquisition and zoning requirements.

In fact, in 1990 a formal commitment was made to complete phase 1 of the Highway 416 project to Century Road by 1995, and of phase 2, Century Road to 401, by 1999. This commitment that the highway would be completed on time and on schedule was reiterated in this House by the first NDP Minister of Transportation in November 1990, very early in this government's mandate: on time, on schedule. But since then the progress has been slow, and plans, especially plans for work beyond Century Road, are becoming foggier and foggier and, after this morning's debate, I think mired in mud.

In my speech in response to this government's 1993-94 budget, I urged the Transportation minister to live up to his predecessor's commitment. I said then, and I repeat now, that for the NDP, some promises at least must be kept; some promises must be kept for eastern Ontario.

1140

The construction of this highway is, and has been for almost three decades, of vital economic concern to the region of Ottawa-Carleton, and indeed to all of eastern Ontario. The Ottawa-Carleton Board of Trade said in a recent newsletter, "The completion of Highway 416 is so important to doing business in this region that the board of directors is now urging the provincial government to investigate using a toll system to help pay construction costs."

Yet even with this initiative, even with this commitment, this promise, this undertaking on behalf of Ottawa's business community, any reference to Highway 416 in any NDP announcement, in any NDP government budget plan or in any NDP government priority list is difficult—is impossible—to find. The commitment just is not there.

The Premier, when talking to the editorial board of the Ottawa Citizen earlier this year, said the completion of the link with the 401 depends on whether Ottawa-Carleton can get the private sector involved in the construction. Yet the Premier said in this House, in answer to a question from my leader, Lyn McLeod, on Tuesday last: "We are ready. We are moving." Those words this week in this House, and we hear comments very different this morning from government members.

Ottawa-Carleton, in spite of what the Premier said this

week, will have to put up its own bucks, will have to use its own imagination, will have to use its own resources and will have to gather its own collateral. I remind members that the pockets of eastern Ontario have helped to pave the roads of many other parts of this province.

It's time the infrastructure of eastern Ontario is on the front burner, is on the government's top priority list. Time lines change, change, and change again. No one really knows what the expected completion date is any more. As we enter 1994, there are very few who believe 1999, or indeed the year 2005, is a promise that will be realized.

In closing, I remind the House that the accelerated construction of this highway is an important safety issue. Lives continue to be lost. Highway 16, as it now exists, is a dangerous road.

Economic issues, safety issues, job creation: Highway 416 is a must. Eastern Ontario deserves to go—must go—into the 21st century with a highway from the nation's capital to Ontario's major transportation artery. Eastern Ontario demands this lifeline. Eastern Ontario deserves this lifeline. Let's go.

**Mr Norman W. Sterling (Carleton):** I think this resolution is unfortunate because we are dealing with a matter that is serious to the people of eastern Ontario and it's being dealt with in a silly manner. The doctor of divinity, Mr Daigeler, at least is honest in bringing forward a holier-than-thou attitude to this issue. This is a serious matter in eastern Ontario—there are people dying on the highway—and Mr Daigeler insists on bringing this in a very partisan way.

Last April, the member for Leeds-Grenville, Mr Runciman, Mr Villeneuve, myself and Mr Daigeler agreed to appoint two people each to a task force to work and bring forward important points to the ministry. I thought at that time we would work together, and I understand that task force is working to bring forward the various arguments, marshal those arguments together, to convince this government to keep this project on track.

Mr Daigeler breaks the pact today, and I don't know what to do to advise my people, who consider this matter a serious matter for the people of eastern Ontario. Now Mr Daigeler makes light of it by bringing forward a very partisan kind of resolution to this House.

I look at this resolution with disgust, because I have never in my 16 years in this House seen a member bring forward such a partisan issue to a very, very serious matter for the people of eastern Ontario. I say that and I'm angry, because I think this is a disgusting way for a member of this Legislature to act in here. I'm sorry, I'm getting a little bit—

**The Acting Speaker:** I would caution the member not to be provocative, please.

*Interjections.*

**The Acting Speaker:** Order.

**Mr Sterling:** The fact is that during a number of elections, politicians have played with this issue over and over again. David Peterson made promises in 1985 vis-à-vis the Queensway which he did not keep.

I can read articles and letters from Ed Fulton, the former Minister of Transportation wherein he said, for instance, in a letter which I received a copy of in 1989: "Please be aware that the financial commitments for Highways 417 and 416 command a significant portion of the ministry's overall budget. To commit additional funds for the widening of Highway 16 at this time would require a deferral of necessary rehabilitative work on existing highway systems."

All the politicians in the Ottawa area have been guilty of promising and promising that this is going to take place at an earlier date. The fact is that during the late 1980s, through the mismanagement of the Liberal government, moneys were spent wastefully on a number of things across this province. That is the reason the NDP government does not have the money at this time to put into the infrastructure, to build 416, which they should have put money aside for at the time when the economy was good and the revenues of this province were good.

I have been involved in this issue for some 13 years. I was involved in the cabinet of Ontario when the decision was made to go down the Cedarview corridor because municipal politicians at that time couldn't decide which way to go. I pushed in order to get a route into Ottawa and we did it, and that was probably harder than getting the funding, quite frankly.

I am sick and tired of politicians playing this issue over and over again, making silly promises which they do not keep. I think the member for Nepean has done a great disservice to the people of eastern Ontario in bringing forward this issue of 416 in a silly and partisan manner, and I think the people of eastern Ontario should view this resolution with disgust.

**Ms Christel Haeck (St Catharines-Brock):** I would like to thank the member for Nepean for the opportunity to speak to this, because obviously highway construction is an issue probably for each and every member here. The reality is that the provincial budget isn't large enough to fulfil the wish list of each and every member, so I think he probably understands that highway construction, for us as well as our constituents, is filled with a range of concerns; one could even say emotion, if we are talking about running down the main street of a small village that happens to have a range of historic sites. I think we have to take into account that a range of constituent concerns probably exist. Some of them may have been answered and some may be left unanswered and unsatisfied.

This project, as the member for S-D-G & East Grenville has outlined, has been around for a long time. In fact, he has taken away a couple of my points, which I will just quickly allude to.

1150

An awful lot of preparatory work has already been undertaken over a considerable number of years, which includes a range of OMB hearings to deal with the acquisition of property. The reality is that each and every member here must understand that a lot of time and money have gone into this project already, and there's probably still a lot more work that needs to be done.

One of the issues that has not been raised so far is that

the current section of the highway, the northern portion of 416, when being undertaken, the soil surveys concluded that there were certain pockets of clay which would present some problems for the engineers, but those deposits of clay were much larger and presented much more serious problems and as a result have presented cost factors as well as time factors. I think the member for Nepean must understand that you just don't move ahead without having resolved some of these problems.

I wanted to allude to the fact that you want to make sure, in any highway construction, that the project is done correctly. The member for St Catharines has just arrived, and we've talked about the whole issue of the widening of the Queen Elizabeth Way. We represent the urban area of St Catharines through which the QEW will run, and I know both of us have expressed concern about the neighbourhoods that would be affected and a range of agricultural land-use issues around the area. There are a lot of citizens' concerns out there and they have to be met by the engineers who are with the Ministry of Transportation, and none of this is either cheap or fast.

Personally, as a member representing an area which is looking at a major expansion, I appreciate the fact that time and care is being taken. Like every other member, it's always nice to see that dollars are being spent in your area but I think they should be spent wisely.

**Mr Daigeler:** Obviously, I got the goat of the Tory members, and perhaps that's good. The member for Carleton and the member for Stormont, Dundas and Glengarry also were criticizing me for phrasing this in a partisan manner. Well, what I've done is simply put forward what the Grenville County Business News was asking of the members who are criticizing me, was asking of them in the March 1993 edition after the meeting we had in Kemptville, and I was there as well. Here's what they said. It's not me who's making these silly points about the Tories; it's their own journalists. And I understand Mr John Morris, who is the publisher of the Grenville County Business News and several other community newspapers, is a good Tory. I think it's their own people, their own supporters, who are putting those views forward.

Here's what Mr John Morris, in an editorial, writes. He says: "Our area politicians"—and he's referring to the southern section of eastern Ontario—"will have to do more as well, especially those representing us at Queen's Park. Bob Runciman, Norm Sterling and Noble Villeneuve should keep asking questions about the future of the highway every day in the Ontario Legislature. Let's keep the heat turned up. If we don't, Premier Rae will continue to give eastern Ontario the cold shoulder." I wonder what upsets the member for Carleton so much. It's his own Tory friends who are saying, "Mr Sterling, we would like to hear more from you on this matter."

My point here, really, is not to criticize the Tories. They obviously are taking offence at being told they should get on board again and be active and be seen on this matter. My point—and this is where I do hope the Tories and the NDP as well will support me—is that here we have a project that is of great importance to eastern Ontario, here we have a project that will create jobs, that



will provide the infrastructure we need to get the business community working again, so let's get on board again, especially with the opportunity we now have of Mr Chrétien saying the federal government is going to put its money where its mouth is.

Yes, Mr Villeneuve, the member for Stormont, Dundas and Glengarry, did refer to the fact that Jim Jordan, the re-elected federal member for his area, a Liberal member, did make a commitment in Kemptville, and I should tell him he made that same commitment again this week after his re-election. In fact he was on television yesterday with myself, where he said, "The federal government will come through with \$60 million."

Mr Jordan is pushing for it. He's committed to it. I said and I will continue to say, "I will keep you to your word," and I do hope I will have the support of Mr Villeneuve and everybody else in this House to push my own Liberal colleagues at the federal level to come through with their contribution.

By all means, let's work together on this. I will be pushing very hard and I will be very, very mad and upset if my Liberal colleagues at the federal level do not come through with their commitment, but I think they will, if we in Ontario, because this is a provincial road, say, "Yes, this is a priority for us."

Here we have a major commitment that will be coming from the federal government, so let's get back on track in the province. This changes the situation. If the province said before, "Well, we don't have the money," here's an opening, here's a tremendous opportunity.

I couldn't understand what Mr Fletcher was saying a little bit earlier when he said, "No, we can't afford this." He's speaking against his own Premier. Here is today's newspaper. The Premier himself is quoted in the newspaper here. Here's what he's saying.

"Ontario plans to push the incoming federal government to start spending money quickly on a variety of road, sewer and transit projects under the Liberals' promised job creation program, Premier Bob Rae said yesterday." This is today's paper.

If your own Premier has said—and good for him, I say, good for him. Be right there, be on the ball, go after the federal government. You can't just sit back. You can't just do what the Tories are doing, being quiet about this. This is an important project.

I understand there's a lot of money involved. You have to do lobbying. You can't just sit back and hope and pray. As the member for Carleton said, I am a theologian and I do pray, but there's more to it that's required. We do have to speak up, we have to be on the record and the provincial government has to be up front and say: "Yes, we are ready with this project. We are ready to go again with it and we are going to meet with the Minister of Transport at the federal level right away to work things out."

Again, to his credit, this is what the Premier said yesterday. This is a quote from the Premier: "I've asked everyone within the public service to go through the red book to see what we can do together," and "We'll start calling them up as soon as they're sworn in and saying,

'We're ready to do these things. Where are you?'"

I say, good for the Premier. That's precisely what I want him to do, and that's what I want especially the members from eastern Ontario in this House to do, on all sides of the House, the Conservatives, the NDP and the Liberals. I can tell you, I certainly will be there. I will be calling, and I sure hope Mr Wilson—I guess he may be speaking a little bit later—will be there as well and calling, because the people of eastern Ontario want some action.

They have been let down by the Tories, they have been let down by the NDP, and that's why we've seen the dramatic election result the way we've seen it on Monday night. I think that may be one of the other reasons why the Tories are so upset and why they're so sensitive about this matter, especially the member from Carleton saying that this motion is partisan when he puts forward the most partisan motions I've ever seen. The way he's been talking about the Liberal concern about the Quebec-Ontario construction exchange question, it was totally misleading.

But anyway, I just want to say that I am interested in getting the 416 back on track, and that's what this motion is all about, to make sure that we have in eastern Ontario the infrastructure that supports the business community and the economic vitality and structure of our area.

**The Acting Speaker:** Thank you to the member. The member's time has expired. Further debate?

1200

**Mr Sterling:** On a point of order, Madam Speaker: I'd like the member for Nepean to apologize to me for calling my remarks totally misleading.

**The Acting Speaker:** Would the member for Nepean wish to apologize?

**Mr Daigeler:** Well, Madam Speaker, it depends whether you find what I said offensive or not.

**Mr Villeneuve:** It's unparliamentary.

**The Acting Speaker:** The word "misleading" is unparliamentary.

**Mr Daigeler:** If you find the word "misleading" to be offensive, I'll withdraw it.

**The Acting Speaker:** The member for Leeds-Grenville has the floor.

**Mr Robert W. Runciman (Leeds-Grenville):** I have a very brief period of time to comment in respect to this resolution. I want to say I'm not angered by the resolution but I am saddened by it because, as the member for Carleton mentioned earlier, four of us met in Kemptville some time ago, the Liberal Party representatives, Conservative representatives and a federal Liberal member, and there was an effort to work together with members of the community, concerned municipal politicians and so on, in respect to achieving what we all felt was a goal that needed to be achieved, a four-lane highway linking the nation's capital and Highway 401.

We can get into all sorts of arguments relating to other priorities in the province, but this is a link to the nation's capital. So I'm saddened by the wording of this resolution and the fact that the member has chosen to give the

real concerns of residents in that area a back seat in respect to really accomplishing what we felt was a united goal in terms of four-laning all of the 416 highway.

I hope the area residents will recognize what the real goal of this resolution is: It's political gain. In my view, I have not seen a resolution or legislation from a private member worded in such a way, attacking individual members. It demeans the issue, and perhaps even more importantly, it demeans the Parliament.

**Mr Gary Wilson (Kingston and The Islands):** I'm pleased to join in this discussion of the resolution by the member for Nepean. He's trying to tell us that it's not put forward in a partisan frame of mind, and I'm willing to accept that, to some extent at least, partly in this new era where I hope we can look for more cooperation from the federal government and indeed all levels of government.

However, I'm a bit disturbed that he would include an item that's centred in my riding and my colleague's riding to the west, because this belies his non-partisan approach. Although he qualifies his remark here about our decision to charge "significant fees," I'm not sure then what kind of fee he would think—I'd suggest that there should be a fee there of some kind and I think that reflects the reality of today's fiscal climate, that in all kinds of transportation issues it's expected that the users of the service will share in the support of them, of course to guarantee them.

The member also referred to the problems the Tories led to, the lack of commitment on promises, and then went to our government, seemingly forgetting the Liberal government. If he were non-partisan, he would include all governments in that way and say we'll all try to do better. I think it's fair to say that we have to do better.

I'm not about to say that all governments have done everything they can for eastern Ontario, but I don't want to say either that eastern Ontario is the only region in the province that deserves attention. We're all in this together, and I think it's only fair to say that what works well for eastern Ontario will work well for the other areas of the province, just as what works well there will benefit us. It's not to disadvantage any one region that we spend money in our areas.

But as far as standing up for our constituents, I want to say that through the work of Paul Johnson and me, we've got the minister to appoint an investigator to look at the circumstances of the fee. That's Mr Brooke McNabb, who's recently undertaken his investigation to look into all aspects of the fee, and I think it's seen to be fair by everybody in the area that we'll have a good look at what the details are.

As far as benefiting eastern Ontario or making sure that we fulfil our commitments, I don't think you have to take my word for it. We can look at something as recent as today's paper, as the member himself does, and we find a headline here that reads, "NDP Comes Through for Region with \$17 Million." So I'm very pleased that the member raised this resolution to provide me with the opportunity to talk about this very significant development, to show that we are committed as a government to make sure the east prospers along with other areas of the province.

What we're looking at here is a program that will respond to the job creation needs in our area, and they're long-term jobs, high value added jobs, that will mean a secure future for our area. This is in keeping with an earlier announcement about a biosciences centre at Queen's, some \$24 million that will be spent there in cooperation with other levels of government, and a technology transfer centre as well, a million and a half dollars.

Yesterday the Minister of Economic Development and Trade was in our area to announce the funding to improve the Norman Rogers Airport so that it can be there to support industry as we need it. It's something that's been long identified by area people as a need and our government has come through with the money to make sure that that improvement takes place.

One of the companies that has called for an improvement of the airport is Du Pont, a very important employer, not only for the Kingston area but for eastern Ontario. As you know, it has a plant at Maitland as well. To make the guarantee that the jobs will stay in our area, our government is coming through with a loans package that allows it to spend many more millions of dollars to guarantee that Kingston will be an important centre for Du Pont in the future.

So I suggest that our government is fulfilling its commitments to eastern Ontario. The members there—and I say it's not only in our party; the members throughout the area, and the member for Nepean is an example of this—are making sure that what is due our area is paid. However, I don't like the partisan approach that the member appears to have taken in this resolution. I hope it doesn't suggest that this is the way his federal cousins will approach the issue of combining or cooperating with other levels of government.

I just want to turn to, in closing, the remarks of Reeve Barry Gordon, the chair of the Kingston Area Economic Development Commission, another body that is interested in the region. He says about the announcement yesterday, "KAEDC is working hard on behalf of the local municipalities on these and other projects and we appreciate the support of the Ontario government." You see, it's something that we've got to work on in the area to make sure that money is generated in our area so that we can afford projects like Highway 416.

**The Acting Speaker:** The member for Nepean has two minutes to respond.

**Mr Daigeler:** Several of the speakers from the other parties said that I am too partisan in my motion. Frankly, I am partisan about this, I make no bones about it, because in order to get the 416 back on track you have to be partisan. You can't just sit back on your hands and say, okay, the transportation minister, either at the federal level or at the provincial level, they're going to be good guys or good girls—it may be a woman transportation minister. You have to be up front.

You have to be right there when the decisions are made and if we are not at this level pushing the provincial government right now to go after the federal government for its contribution and to put these projects back on track, other areas are going to be smarter and they're



going to be the ones that are going to get the approvals and they're going to be the ones to get the infrastructure improvements, and what are we going to do? It's going to be too late then to complain.

Now is the time, and that's why I put this motion forward and that's why I'm partisan about it. We have to keep this matter constantly in front of us. Again I quote the community newspapers of eastern Ontario. I quote the Grenville County Business News, which had the headline, "Constant Lobby Needed for 416 Construction."

This is how politics works. You have to make sure that people know about your concern. Don't just sit back and be satisfied if it doesn't come for you the first time around. Keep at it. If it is a project that's important enough, that's worthy of support, you have to speak up, you have to promote it. That's what this motion is all about, and I do hope the members will support it.

**The Acting Speaker:** The time for private members' public business has expired.

#### CITY OF NORTH YORK ACT (VITAL SERVICES), 1993

#### LOI DE 1993 SUR LA CITÉ DE NORTH YORK (SERVICES ESSENTIELS)

**The Acting Speaker (Ms Margaret H. Harrington):** We will deal first with ballot item 31 standing in the name of Mr Mammoliti. If any members are opposed to a vote on this ballot item, will they please rise.

Mr Mammoliti has moved second reading of Bill 95, An Act to provide for the passing of vital services by-laws by the City of North York. Is it the pleasure of the House that the motion carry? Carried.

This bill is ordered to committee of the whole House.

**Mr George Mammoliti (Yorkview):** I'd prefer it to go into the standing committee on general government.

**The Acting Speaker:** Is there a majority in favour of its going to general government? Agreed.

#### HIGHWAY CONSTRUCTION

**The Acting Speaker (Ms Margaret H. Harrington):** We will now deal with the second ballot item, number 32, a resolution standing in the name of Mr Daigeler. If any members are opposed to a vote on this ballot item, will they please rise.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it. I declare the motion lost.

All matters relating to private members' public business having been completed, I do now leave the chair and the House will resume at 1:30.

*The House recessed from 1213 to 1330.*

#### MEMBERS' STATEMENTS

##### PROGRAMMES DE TRAITEMENT DU CANCER

**M. Jean Poirier (Prescott et Russell):** La mauvaise gestion du gouvernement néo-démocrate a entraîné en Ontario ce que certains n'hésitent pas à appeler une crise des programmes de traitement du cancer.

Il y a une pénurie de spécialistes tels les oncologues et

les radio-oncologues. Certains des appareils de traitement du cancer ne peuvent fonctionner faute de spécialistes. Ceci explique en grande partie les listes d'attente inacceptablement longues.

Beaucoup de patients ne reçoivent pas les traitements de radiothérapie à temps. On doit, dans certains cas, recourir à des chirurgies seulement pour limiter les dégâts. Certains patients doivent quitter leur ville pour plusieurs semaines ou même quitter le pays pour recevoir un traitement à temps. Tout le monde s'entend pour dire que les besoins augmentent et que, si rien n'est fait, le problème va prendre des proportions énormes.

C'est pourquoi le groupe parlementaire libéral a mis sur pied un groupe de travail dont le mandat est d'abord d'étudier les problèmes empêchant l'Ontario de traiter les victimes de cancer et, ensuite, de recommander des solutions. Plusieurs questions importantes ont été soulevées à propos de l'accessibilité des programmes de traitement du cancer en Ontario.

Ce groupe de travail discutera avec des patients atteints du cancer et des professionnels de la santé. Il entendra les commentaires des spécialistes de la santé en ce qui a trait aux répercussions des politiques néo-démocrates sur les programmes de traitement du cancer en Ontario et recommandera des solutions à ces problèmes.

À compter de demain, le groupe de travail se rendra dans les villes suivantes : Toronto, Kingston, Thunder Bay, Windsor, Ottawa, London, Sudbury et Hamilton.

#### FOREST INDUSTRY

**Mr Leo Jordan (Lanark-Renfrew):** Last week, another sawmill in northern Ontario shut down, throwing nearly 100 people out of work. This time it's the Goulard mill near Sturgeon Falls, a family-owned business that has operated successfully for generations.

Ironically, and the real tragedy for all those hard-working men and women who no longer have a job, there's no shortage of business. In fact, business is booming.

The problem is that because of native land disputes and because of MNR's refusal to grant cutting permits, our mills can't get enough wood to fill all the orders. Meanwhile, MNR's own research shows that Ontario forests can sustain a 50% increase in the annual harvest. This is NDP mismanagement of the worst order, and it's a disgrace. NDP policies are killing business, they're costing us jobs and they're destroying our economic base.

To save these jobs, I urge the NDP to start listening to my leader, Mike Harris, who represents that area. Listen to Sturgeon Falls' mayor, Mike DeCaen, and to Springer township's reeve, J.P. Charles who, along with Mike Harris, are leading the fight to save jobs at Goulard's and other mills. Lift the native land cautions, issue the cutting permits, let them fill their orders and let our people work.

#### PUBLIC LIBRARIANS

**Ms Christel Haeck (St Catharines-Brock):** Many in this House know that before my election, I was a public librarian. I would at this time like to welcome my professional colleagues, who are members of the Ontario Library Association, to the Niagara Peninsula as they begin their annual conference.

This is a somewhat unusual conference in that it is a joint conference with the New York Library Association. For those of us who live on the border, we find ourselves sharing many activities and interests with our American neighbours. In the library world, it has long been a basic tenet that sharing has to be the order of the day. No library, not even the US Library of Congress, can own everything.

There are those who would like to call librarians information scientists. Personally, I do not rank myself among those. That is not to discount the value of the new information technologies which have aided the library world in the dispensing of information quickly and accurately. My librarian colleagues will be discussing issues of technology, but they will also delve into topics that will improve the range of services that are provided to the public. The book is still very much a part of the library world, so it will not surprise anyone to know that there will be detailed discussions with authors and the book-publishing industry.

The first Public Libraries Act was passed during the 1880s, but it is clear to everyone that the libraries have moved into the 1990s. Conferences like this one continue the sharing of resources and information to help to advance the profession.

We in Niagara welcome these important visitors to our area and hope that they will partake of the peninsula's many attractions: the falls, beautiful Victoria Park, but also our Niagara wines and various historic sites.

SARAH McLAUGHLIN

**Mr James J. Bradley (St Catharines):** Members of the Legislature may recall that I raised the case several months ago and on an ongoing basis of a young girl by the name of Sarah McLaughlin and her needs, which are not being met by the Ontario government and by our health care system at this time. She is the daughter of Jerry and Jill McLaughlin, who reside in St Catharines, and the girl requires physiotherapy once a week, occupational therapy twice a month, audiology review every three months, in-home resource teaching at W. Ross Macdonald twice a month, in-home resource teaching with E.C. Drury once a month, medical appointments with a paediatrician, neurologist or general practitioner once a week, low-vision clinic twice a year, as well as other unexpected appointments due to illness or increased seizure activity, such as emergency hospitalization.

As a result of Sarah's combined loss of vision and hearing, she requires constant one-to-one intervention. Sarah cannot obtain routine information from her environment by watching, listening or touching. In other words, Sarah has multiple disabilities which require a good deal of service on the part of those who have that expertise. At the present time they are kept to only nine hours per week.

What Sarah McLaughlin is asking for, through her parents, Jill and Jerry McLaughlin, is that the Ontario government respond positively to their appeal to provide more service to a youngster who requires the greatest of medical care.

#### LIVE THEATRE

**Mr Ted Arnott (Wellington):** I'm pleased to rise today to recognize the contribution of live theatre to Toronto's economy. In recent weeks there have been media reports about the outstanding success of live theatre in Toronto. Canadian residents, Ontario residents, as well as American visitors, are flocking to Toronto like never before to see productions like *Phantom of the Opera*, *Miss Saigon* and *Show Boat*, as well as countless other successful plays.

Despite the numerous policies of the provincial government which discourage tourism and economic growth—like the cancellation of the retail sales tax rebate on goods and accommodation and high food, high gas and high liquor taxes—live theatre is thriving.

The impact of the theatre on tourism and the economy is dramatic. Approximately seven million theatre tickets were sold in Toronto in 1992 alone. One half of these ticket sales were to out-of-town visitors, and it is estimated that the *Phantom of the Opera* alone generates approximately \$200 million a year in spinoffs for the Metro Toronto economy.

The success of theatre in Toronto is an example of private enterprise boosting tourism and the local economy. Just imagine the potential for even greater economic growth if the provincial government stopped strangling the tourism sector with high taxes and excessive regulation.

#### WASTE DISPOSAL

**Mr Ron Hansen (Lincoln):** As we all know, residents of the Lincoln riding, myself included, have been fighting the Ontario Waste Management Corp's proposal to build a \$250-million hazardous waste incinerator near Smithville. We have all consistently argued that there are alternatives to burning Ontario's toxic waste at one central facility, options such as onsite treatment and 3Rs waste reduction.

Well, guess what? A highly respected private waste management company agrees with what we've been saying. Laidlaw Inc has abandoned its bid to build a \$50-million hazardous waste incinerator near Sarnia. Why? Because company officials believe the province doesn't need any more hazardous waste incinerators. They believe Ontario can be served either with other environmental technology or by existing kilns in the United States. The other technologies are designed to treat hazardous wastes onsite rather than requiring them to be transported to a central facility.

Four years of environmental assessment hearings into OWMC's toxic proposal wrapped up last month and a decision is expected some time next spring. But even if the proposal passes assessment, it still must be approved by the cabinet. While I am not trying to prejudice the outcome of the hearings, I would urge members of cabinet to take a long, hard look at this proposal if it indeed passes assessment, and I would ask them to weigh the alternatives carefully. I would hope they come to the same conclusion that I and the people of Lincoln have: that OWMC's toxic monster should not be built in Smithville or anywhere else in the province of Ontario.



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## HIGHWAY CONSTRUCTION

**Mrs Yvonne O'Neill (Ottawa-Rideau):** I'm disappointed and I'm dismayed that members of the government today underlined the fact that there is no commitment on the part of this NDP government to complete Highway 416 to Highway 401. In fact, the government is now stating that the project is "too expensive," it's "not on any priority list" and that it's "a local issue." These statements by the government members are unbelievable. They are very unacceptable.

As I said in my statement this morning, a project of this nature requires political will, the political will to push it through its processes, to push it through its hoops and to provide adequate funding at each stage of the construction. I did not hear one hint, I did not hear one whisper of positive political will by members of the government this morning in this chamber.

Economic issues, safety issues, job creation: Highway 416 must be completed to Highway 401. It's a must. Eastern Ontario deserves to go, must go, into the 21st century with a highway from the nation's capital to the main artery of transportation in Ontario. Eastern Ontario demands this lifeline.

## ENVIRONMENTAL LEGISLATION

**Mr W. Donald Cousens (Markham):** A litany of lies and deceit was started two years ago with the introduction of Bill 143 in October 1991. Never before has there been such a deception on the part of a government. Bill 143, evil manifesto that it is of NDP rhetoric and ill remarks, this insidious bill, has ruined lives, destroyed communities and struck dead our belief in the parliamentary system. This bill has steamrollered over basic human rights and ignored municipal rights.

Bill 143 is as two-faced as the party that designed it. Bob Rae on one hand is promising there'll be no more dumps while at the same time sealing the fate of host communities in the GTA. He continues to spit contempt on these communities by refusing their pleas for a review of all the alternatives. A ruthless, spineless minister has never listened to the majority of people in Kirkland Lake.

**The Speaker (Hon David Warner):** Order.

**Mr Cousens:** She has orchestrated the demise—

**The Speaker:** Order. Would the member for Markham please take his seat. The member for Markham, an experienced member in this House, knows better. I ask him to withdraw those remarks and continue with his statement.

**Mr Cousens:** I withdraw that part about her being spineless and ruthless, but the minister never did listen. And what about her henchmen and henchwomen, the backbenchers?

Bill 143 has been rammed through this house. There has been no acceptance of amendments from the opposition. It has removed our constitutional rights. It has cost the government \$30 million; it has cost our community as much again. Bill 143 has cost all of us dearly.

Today, we do not celebrate a second anniversary, we lament it.

**The Speaker:** The member's time has expired. Take your seat, please.

EMILY HOWARD STOWE

**Mr Kimble Sutherland (Oxford):** October is Women's History Month in Ontario.

The Woodstock Public Library recently held a lecture on one of Oxford county's most important historical figures, Emily Howard Stowe. Stowe was Canada's first practising female doctor. Born in 1831 near the village of Norwich, she had a keen interest in learning and gained her teaching certificate from the Toronto Normal School. She eventually became the first female principal in Upper Canada.

When her husband became ill, she decided to leave the education system because she could not earn enough to support her husband and three children. She turned her sights on becoming a doctor, but was refused entry to the University of Toronto's medical school because she was a woman. So in 1860, she left Canada to attend medical school in New York, where she also became involved in the women's rights and anti-slavery movements.

When she returned to Canada in 1867, she again faced discrimination. As a woman, she couldn't practise medicine because she wasn't allowed to take the proper courses. With help, she lobbied the medical society until she and other women were allowed to take the courses.

She set up a successful practice in Toronto catering to female patients shortly after returning to Canada, but it wasn't until 1880, 13 years later, that she received her medical licence to practise in Ontario.

She would go on to start the suffragette movement in Canada and spent the rest of her life lobbying for women's rights.

Emily Howard Stowe epitomizes the spirit and courage that women have shown throughout Ontario's history, and I'm proud that we've set aside the month of October to recognize their contributions to this province.

## VISITORS

**The Speaker (Hon David Warner):** Before proceeding, I would invite all members to join me in welcoming to our chamber this afternoon an experienced member of the House, a former member who was a former minister of the crown, seated in the members' gallery west, Mr John Eakins, the former member for Victoria-Haliburton.

It is now time for oral questions. The honourable member for Bruce.

**Mr Murray J. Elston (Bruce):** I was able to identify the honourable member because sitting beside him is, of course, the warden of Victoria county, Ms McCrae, and her husband. It's very nice to have them here as well; good, strong local politicians from that area. John, it's good to see you back.

## ORAL QUESTIONS

## SOCIAL ASSISTANCE

**Mr Murray J. Elston (Bruce):** I have a question to the Minister of Community and Social Services. The honourable member, after some prodding from us, has admitted that there are considerable amounts of welfare

fraud going on. I'd like him to tell us today the extent of that and what special steps he's taken to curtail that welfare fraud.

**Hon Tony Silipo (Minister of Community and Social Services):** I find it really interesting that the member for Bruce would again ask that question to which he's received an answer, but I'd be very happy to answer him again.

I do want to say that I've had a chance to look in more detail into the report that was given to me yesterday by the leader of his party. I want to say to him and to the House—and I regret that the Leader of the Opposition isn't here to hear this directly from me—that I'm appalled at the activities and the actions that were taken by the members opposite with respect to this issue.

That report, which they used to allege serious incidents of fraud, as it turns out is not a report that has any official sanction by any ministry in the federal government, which is something that we have been able to verify this morning and which, upon careful reading, results in verification of about seven cases, seven incidents, of fraud that have been acted upon and are being acted upon. From those seven incidents, the writer of this report, an individual civil servant, draws conclusions which cast aspersions on a particular community and which were added to by the Leader of the Opposition's press release, which I find appalling and abhorrent.

I think that it's incumbent, if we want to deal with issues of fraud, which are serious issues, that we deal with them with the facts in front of us and not by casting aspersions on the Somali community or on any other community, for that matter, by raising allegations which are only allegations and which have no substance in fact.

I'd be very happy to go into great detail in subsequent questions and answers—

**The Speaker (Hon David Warner):** Would the minister conclude his response, please.

**Hon Mr Silipo:** —on all of the things that we are doing which show that we are taking the issue of fraud quite seriously. That issue, I think, is an important issue that we need to discuss. But I just want to say to the member opposite, since he's standing today in the stead of his leader, that this is an issue that I hope that she will have the decency to follow up on, with the apology to the community that has been requested of her.

**Mr Elston:** Let's just revisit what has occurred. It's obvious to me that what has occurred here is that that minister accepted a report offered by the Leader of the Opposition to have him and the Premier look into, to investigate. It is obvious, from what was said this morning at the press conference, that his office leaked it to that dipper John Clarke so that he could do some work.

The allegations which he has just made are totally false. The Leader of the Opposition has given him the work to look into and find out exactly what's going on. What he has done is he has verified that a public servant from the federal government wrote the report, and from there on, the matter remains for him to try to obscure what is happening in his own department.

I again ask the member to tell us exactly what his

government has done to curtail the fraud about which we have been speaking. Will he confirm that his government in fact was the one that has prevented local case workers from going to do home visits, which in fact would go a long way to identifying the applicants who are, throughout the province, creating or committing false claims and thereby defrauding our province of thousands of dollars?  
1350

**Hon Mr Silipo:** Let me deal with those comments that were made by the member opposite. First of all, let me be very clear that this report was not leaked to anybody by anyone in my ministry that I am aware of. In fact, I've been very clear in not releasing this report. I said that yesterday to the media and I continue to say that. So where people got a copy of the report, I don't know. It wasn't from me or from anybody who works for me and with me.

So let me be really clear that again, I think what is irresponsible in the actions that were taken—I have no problem whatsoever with the members opposite raising issues about allegations of fraud. That is perfectly within their rights and responsibilities to do that. It is completely irresponsible, however, to take sections of a report such as that, as they did, and issue them in a press release, which gives veracity to that statement when that statement is based only on one person's allegations and has no connection to any truth that is going on or any basis as we can determine in terms of the very limited number of fraud situations that were discovered and verified in that particular report.

As to what we are doing and specifically to the issue of home visits, let me say to him, yes, it is true that the home visits are no longer a specific requirement—that is, that we are not requiring that they be done in all instances—but it is not true that we have removed that possibility from happening.

What we have done is we have said that that is an issue of discretion to be dealt with locally by the income maintenance workers and that is in their determination when a home visit is warranted. That is the difference and we believe that, among the other issues that we have put in place to deal with welfare fraud, the additional staff in place now, the fact that in the last round of expenditure control measures, the largest area of expenditure savings that we've identified is one that we believe will come from an intensive review of files and cases. That is not something that we've decided recently; that was something that we decided last spring—

**The Speaker:** Could the minister conclude his response, please.

**Hon Mr Silipo:** —and is something upon which we are acting and which we have put some dollars into the system to put the appropriate people in place to help us do that.

The issue of fraud is a very serious issue. It is not an issue that started with the existence of this government.

**The Speaker:** Could the minister please conclude his response.

**Hon Mr Silipo:** One might ask what actions were taken before we got to this place around this issue, but



we are taking the issues seriously; we are dealing with it and we have to deal with it in a way that respects the dignity of the individuals—

**The Speaker:** Would the minister please take his seat. The question's been answered.

**Mr Elston:** So far he hasn't answered the question. I've asked him very clearly, what has he done? He hasn't done anything. I will read the entire regulation: "In order to respect the personal privacy, the requirement for home visits is replaced"—and I underscore that myself—"by personal contact with the client. The client's preference"—I underscore, the client's preference—"will determine the location, eg, home, office or other suitable meeting place, for the personal contact." That is how you are going about it.

You will have to confirm for the public, sir, that the largest volume of personal contacts are done by telephone, that in fact most of the time, the personal contacts and the inquiries made for filling out a lot of the forms are being done by telephone, by the offices in the various municipalities. I agree with you, and I will read the rest of the regulation, which says, "Home visits may be conducted as part of a random sample to ensure that social assistance is not abused or for the assessment of requests for home repairs."

I understand that that will give you your loop, but I'll tell you, nobody is doing the home visits; nobody has the grounds to do those visits; nobody has the staff to do those visits. I want the minister to tell us today, what are you going to do to ensure that fraud is reduced in this province as it relates to the welfare system, over which he has a great deal of control?

**Hon Mr Silipo:** What we are going to do is to continue doing exactly what we're doing and to look for other steps that we need to add to that, because again, my starting premise and my continuing premise on this is that the issue of welfare fraud is one that has to be taken seriously and we have to continue to take steps to be able to justify to the people of the province the wisdom of spending the dollars that we are spending.

I think we have to be careful and also say to the member that one could take his statement to a conclusion that says if you didn't do home visits, all of a sudden—that that is what accounts for the large increase in case loads in this province. We know that is not the case, and I think he knows that is not the case, because the reality of why we have so many people who have had to turn to social assistance has not to do with the incidence of fraud. It has to do with the state of the economy of this province, it has to do with the joblessness that exists in this province, and it has to do therefore with a number of those factors—

**Mr Chris Stockwell (Etobicoke West):** You don't do home visits; there is no permanent address. That's why—

**The Speaker:** Order. The member for Etobicoke West is out of order.

**Hon Mr Silipo:** —that we need to address and that we are trying to address, in part, through the social assistance reform.

Specifically on the measures we need to continue to

take on the issue of fraud, it is possible for people to do home visits, where they feel that is warranted. We are continuing our efforts to deal very specifically with allegations of fraud in a very systematic way and to also deal with issues of abuse, not just fraud, and issues of potential overpayment through the case reviews that I've indicated we are in the process of doing now, they are actually under way, and which add to the steps that were taken even under my predecessor in this ministry, when additional staff was added specifically for the purpose of doing those case reviews and which have resulted, as I indicated to the member in the House last week—

**The Speaker:** Could the minister conclude his response, please.

**Hon Mr Silipo:** —already in identification of some \$16 million in savings in money that was found to have been overpaid to a number of clients.

#### HOME CARE

**Mr Murray J. Elston (Bruce):** I'm glad the Minister of Community and Social Services raised the issue of the entirely unacceptable level of job loss in this province.

I have a question for the Minister of Economic Development and Trade, in her role today as designated Premier of the hour.

**Mr James J. Bradley (St Catharines):** She's going to be Premier some day, she hopes.

**Mr Elston:** I think only the hour today.

The Ontario Home Health Care Providers' Association today had a press conference which indicated it was going to launch a legal challenge with respect to the activities of the government in dealing with the government's new program to eliminate profit home care providers from the marketplace.

I would like the minister to tell us today if she can confirm what has been told to us earlier, that well beyond 10,000 people will lose their jobs as a result of the implementation of this policy by her government.

**Hon Frances Lankin (Minister of Economic Development and Trade):** I'm pleased to be able to respond to this question, of course, because I'm one person, having been in the portfolio of Health before, who has spoken often on this issue of the delivery of home care services and our preference for those services to be delivered by the not-for-profit sector.

I would say that the suggestion that over 10,000 people will lose their jobs is in fact an incorrect suggestion. We have, throughout this, approached this issue of the realization of the government's policy preference of delivery of health care services through the not-for-profit sector in a planned approach, in a planned way, one that gives us the ability over a number of years to phase in implementation of this policy, one that allows us to still provide consumers with choice, certainly in terms of the range of not-for-profit agencies, as well as the ability for the for-profit sector to still be a player, although certainly our new funds will be going towards expansion in the not-for-profit sector.

We will also, through the kinds of mechanisms that we have set in place, support conversion where that is the preference of the for-profit, to convert to not-for-profit,

to work with them, as well as to work with the issue of worker displacement, if there is any, to make sure that as new jobs are created in the not-for-profit sector, workers who have been involved and who are experienced in the delivery of these services will continue to be involved and be able to certainly contribute those levels of experience in the delivery of services.

**Mr Elston:** The Minister of Health who currently occupies that chair has been indicating that only about 5,000 of the 10,000 would be picked up. There will be at least, under your own minister's estimates, a net loss of about 5,000 jobs in the sector.

I would like to know from the minister if she can provide us with her estimate of the cost of this program's implementation, the economic impact it is going to have, and most importantly for us, what benefits the patients are going to receive by the implementation of this program. We've seen what the implementation of their program has done to the child care services sector in this province.

Ernst and Young has done a study which has basically said there will no difference whatsoever in terms of quality with respect to the delivery of care as a result of this policy, and in fact they can find no cost-benefits in relation to the implementation of this policy. But I will let the minister tell us exactly what studies she has and then let her share them with us, so we can see exactly what benefit the public will get from the implementation of this program.

1400

**Hon Ms Lankin:** I will be pleased to also ask the Minister of Health to supplement any information I give you today with the data that are available through the Ministry of Health, which, as you know, has the responsibility for implementation of long-term care in this province.

One of the things that we are very aware of with respect to delivery of in-home services in the long-term care area is that the majority of the for-profit organizations that currently exist, the companies that exist that deliver services, are concentrated in urban areas. One of the goals of long-term care reform is to ensure that we can arrive at a point where we have equitable access to these services across the province.

In the not-for-profit sector, were we to have government funds only fund organizations which deliver on a rural basis, which is a costlier service, as we can all understand, in terms of time, geography, travel etc, than in the urban area, we can see that the cost structures in the not-for-profit sector would be ones that would be disadvantageous to the delivery of effective services.

Also, we believe that there will remain choice within the system, that there will be the opportunity for the consumer, as we move to the establishment of multi-service agencies which will have at their fingertips a range of not-for-profit services available to be delivered to the customer. I believe that all of those things provide benefits to the consumer which are readily apparent.

**The Speaker (Hon David Warner):** Could the minister conclude her response, please.

**Hon Ms Lankin:** The last comment I would make is that with the scarce resources we have for delivery of services these days, it is most important that every penny go into delivery of service to the consumer and not into the making of profit on the delivery of health care.

**Mr Elston:** The studies which are available to the public right now show that there is not going to be any savings in relation to cost, that there will be in fact probably a reduction of service because the private providers are working 24 hours a day and they're right around the province. You know that; we all know that. We know that the elimination of private child care centres around the province has ended up in the reduction of the number of spots that have been available for occupation because the government hasn't got the money to put into the sector.

We believe that the government will not be able to afford what it has announced either. I want the minister to tell us today exactly what the cost is, what the estimates are, when this is going to be implemented so that the 10% figure of participation by private providers can be achieved and to tell us exactly when the studies upon which her government has acted will be made available to the public so that we all can be participants in what is so far seen to be rather a dream-world exercise that they've gotten themselves into.

**Mr Gregory S. Sorbara (York Centre):** And you do it in under 10 minutes.

**Hon Ms Lankin:** I'll certainly undertake to do it in under 10 minutes, Mr Sorbara. I will certainly undertake to, again as I said, raise with the Minister of Health the issue with respect to information available in the Ministry of Health. You do know that you're asking a question on which I wouldn't have the immediate answer here in front of me. But let me say certainly in terms of my information with respect to this and my experience during the period of time that I was in that portfolio, the member raises some points that I think need to be responded to.

First of all, he said that we know these services are delivered throughout the whole province. Well, in fact, if you look at the concentration of for-profit services in home care and in homemaking, you will find them concentrated in Metro Toronto, in the Ottawa area and in the London area, in the urban areas where there are economies of scale in which profit can be generated. They are a very, very small part of the delivery of service outside of that. Now, if you're talking about nursing services, in fact 90% of the nursing services in this province are delivered on a not-for-profit basis.

On the issue of 24-hour service and flexibility, of course it is necessary for us to work with the multiservice agencies and the new services coming on stream to ensure that choice and flexibility remains in the system.

Lastly, I want to say I find it odd that the government which enshrined in legislation, in terms of long-term care delivery in nursing homes in particular, a preference for not-for-profit would at this point be opposing this other than the opportunism of the moment or perhaps their political relationship to the lawyer who is carrying the case on behalf of the association.



## SOCIAL ASSISTANCE

**Mr Michael D. Harris (Nipissing):** I have a question for the Minister of Community and Social Services. Two weeks ago I spoke privately with the Premier in a meeting we had to share with him the information that I was receiving, from far too many sources and far too credible sources, of systematic, organized fraud by some members of the Somali community. I did that because I felt the situation was one that could get out of control and that the sources who gave me the information were too credible and too organized to discount.

Following that discussion the Premier and I had, he indicated he would meet with you immediately. The sense from that which I relayed was that this was a serious matter, one that could get out of control; if the few weren't dealt with, with all the resources we could muster, quickly and effectively, it was a situation that could get out of hand.

Clearly, that has now occurred. The situation is out of hand. We have reached the point where the Somali community felt compelled to come forward today to express their embarrassment that the actions of a few have tainted their community reputation.

What I would like to know is, did the Premier two weeks ago relay to you the information I had given him and the concerns I raised? If so, given your obvious lack of knowledge as these issues have become public and your obvious lack of action, can you tell us why you have not treated the matter more seriously, why you have not been getting to the bottom of this so we did not reach the situation today where it is clearly now tainting a whole community, something that I think need not have happened? Can you explain that, Minister?

**Hon Tony Silipo (Minister of Community and Social Services):** Let me, first of all, be really clear with the member that I think it would be very unfortunate if he would draw a conclusion, as I think he is doing, from what happened in the House yesterday and whatever discussions have to happen and haven't happened, or have taken place as a result of his conversation with the Premier. I think it's important that we say that.

He referred to the Somali community representatives coming forward this morning and expressing their embarrassment. I would say that they expressed their anger at the way in which they were being categorized as a community, and I think it's important that we say that.

I haven't spoken directly with the Premier about this issue, and I know people have been trying to set that discussion up. But the issue is an important one, and the way in which the member has raised it with the Premier, I appreciate as an appropriate indication.

I've had a chance this morning to meet with representatives of the Somali community and we are going to be talking further. They, in spite of their anger at the actions that were taken by the Leader of the Opposition, are also concerned that this issue be addressed and be dealt with in a way that targets the problem as it needs to be targeted, which is towards those few individuals, whether they are in the Somali community, in any other ethnic or racial community—

**The Speaker (Hon David Warner):** Would the minister conclude his response, please.

**Hon Mr Silipo:** —or anywhere else, who are defrauding the system. That's the way in which the issue needs to be addressed and that's the way I intend to proceed with this issue, with representatives of the Somali community who have expressed an interest to me in meeting with me and pursuing this issue and, as well, with representatives of other communities.

**Mr Harris:** I'm not sure, but I think I heard the minister say he has not met with the Premier on this. I, in the three years that Bob Rae has been Premier, have maybe raised one other issue with him that I felt strongly about. I don't do these things lightly.

He indicated to me some two weeks ago that he would meet with you and relay those very real concerns, before there was any public information in Ontario, in Canada, in Vancouver.

If you're now telling me that he did not meet with you, quite frankly, I am shocked, and there's really not much point in bringing these matters to your attention. Perhaps they do have to be raised publicly before you'll act.

We have a situation in Ontario where, because of loopholes that exist, welfare fraud by a few or by many, not of any specific community, is easy to work. The system is easy to defraud. For the past eight and a half years of Liberal and NDP governments, on their own or in accord, the rules and the practices for welfare have been loosened to the point where it is much easier to cheat, and it is much more difficult to catch the cheaters. It is much more difficult to police.

1410

In January the member for Burlington South provided you personally with a copy of Quebec legislation that had been passed that gave welfare examiners more far-reaching investigative powers, including, by the way, the power that we used to have in Ontario for home visits, among others; more far-reaching powers to deal with what was becoming an out-of-control problem. We knew that at that time.

Why haven't you brought forward similar legislation of the type that the member for Burlington South shared with you in a cooperative, positive, pre-emptive effort to start bringing in solutions in Ontario to a rampant cheating problem that's going on and becoming more widespread?

**Hon Mr Silipo:** Really, to some extent I hesitate to get into this, but I think the leader of the third party is probably among the last people who should stand up, given some of his activities during the summer, and preach to me or to anybody else in this House about encouraging or discouraging people to go on welfare. Let's really be careful about this, I would say to the member opposite, because people need to come to these issues with hands clean on some of these questions.

As the minister responsible, I believe we are taking a number of important steps to tighten up the system and to ensure that the benefits are geared and directed towards those who need it. Am I satisfied that we are doing everything we need to do? No, I am not, and I've

said that very clearly to my officials, not recently but over the last number of months and weeks, and we are continuing to improve the measures that we've got in place.

But I would also say to the member now, as I said to the previous member who asked this question, that it would be highly unfair—

**Mr Harris:** Is there something wrong with the Quebec legislation? That is the question.

**Hon Mr Silipo:** We are looking at the Quebec legislation as we are looking at bringing in new legislation. As he knows, we've made a commitment to bring in new legislation and we are dealing with that. We are dealing through regulations with what measures we need to add to the present system to ensure that the benefits are directed to those people who need them.

**The Speaker:** Will the minister conclude his response, please.

**Hon Mr Silipo:** I will conclude by reminding the member, as I reminded earlier the member for Bruce, that we need to be careful that we do not create an atmosphere in which people believe, as a result of statements made by politicians, that the reason we have such an increase in the welfare load of this province is because of an issue of abuse.

The question of abuse and the question of fraud have been in the system long before the NDP formed a government in this province. We're trying to deal with it in what we think is a more effective manner than has ever been done before.

**Mr Harris:** Minister, you're clearly not doing anything about it. Do you think that if we just sweep it under the rug and don't talk about it, it will go away? We have come forward with recommendation after recommendation. We have offered you a new kind of opposition that would work cooperatively, that would give you solutions. In our pre-budget submission last spring our caucus put forward a nine-point plan for welfare reform.

*Interjection.*

**The Speaker:** Order, the member for Durham East.

**Mr Harris:** We didn't raise it in question period; it wasn't to get headlines. It was a proposal, a plan that we gave to you as part of the pre-budget submission. That plan included steps such as—

**Mr Anthony Perruzza (Downsview):** You encouraged someone to go on social assistance, to quit her job. That is responsible?

**The Speaker:** Order, the member for Downsview.

**Mr Harris:** —a review of the financial impact of the decision to eliminate home visits as a means of determining eligibility. You didn't act on that.

**Mr Perruzza:** You encouraged someone to quit her job, and she quit her job.

**The Speaker:** The member for Downsview, please come to order.

**Mr Harris:** Review the plan to extend welfare benefits to 16- and 17-year-olds who simply declare they are no longer comfortable living at home with their parents as the only criterion for eligibility.

Instead of direct deposit, implement a mandatory cheque pick-up and review program such as the one in place in New Brunswick and the one in place in Ontario before you rascals took over and loosened it all up.

Minister, we have tried very helpfully to give you constructive proposals.

**The Speaker:** Will the leader place a question, please.

**Mr Harris:** We have done so in recommendations. We are at the point today where we have to wonder how many commonsense, obvious solutions have to be staring you in the face before you are going to act. Can you explain why you have not acted on the Quebec legislation or not one of these nine recommendations that we gave you last spring?

**Hon Mr Silipo:** I would just say briefly that we have acted on some of those issues. We have, to take one example, on the 16- and 17-year-olds made it absolutely clear in the way in which those rules are to be applied that they're not simply to be applied in a situation where a 16- or a 17-year-old simply says that he or she is living away from home and therefore is eligible. There have to be some very real circumstances that warrant that young man or young woman being deemed to be in danger in continuing to be at home, and a whole number of criteria in order for that to happen. We are looking at a number of additional measures and are doing very intensive case reviews.

Again, I want to conclude by saying that I appreciate the way in which the leader of the third party began his question on this issue. I think the approach that he took in raising the issues as he did with the Premier is very appropriate. Those issues are being looked at. The fact that the Premier and I haven't had a chance to speak directly about it does not mean that nothing has been done on those. There are discussions that are going on on those issues, and we will deal with those issues in the way they need to be dealt with, in the way in which he would want us to deal with them, which is by taking the individual allegations and having them examined, having them looked at. That's the way in which we need to deal with these issues, because if we don't, we cast aspersions on entire groups, whether it's an ethnic group, a racial group or a category of people who are eligible for social assistance, and I'm sure that in his heart of hearts he would not want us to do that.

**Mr Harris:** You may appreciate me raising it that way, but obviously it had no effect. In two weeks, the Premier has not once conveyed to you the information that I conveyed to him. I find that astounding.

#### HOME CARE

**Mr Michael D. Harris (Nipissing):** My second question is to the Minister of Community and Social Services as well. This morning, the private home care operators announced their intention to initiate legal action. This is legal action contesting the legality of your policy to drive them out of business. A similar policy that the Liberals had in housing, you now want to take to home care operators.

Minister, these operators confirmed what we've been telling you for the past two years. Your policy to force



them out of home care, one, will not improve the quality of care; in fact, it will deteriorate. Two, it will not enhance accessibility; in fact, it will lessen accessibility.

Can you then give the home care operators, the seniors and the families of those seniors one reason, other than ideology, why you are driving the private sector out of the provision of home care services?

**Hon Tony Silipo (Minister of Community and Social Services):** This is a question that would normally fall under the jurisdiction of the Minister of Health, and in her absence I refer the question to the Minister of Economic Development and Trade.

**Hon Frances Lankin (Minister of Economic Development and Trade):** I'll take the question in the absence of the Premier today.

I think, first of all, I would have to say that the assertions that the leader of the third party put forward with respect to his assessment and/or the association's assessment of the effect of this policy are ones to which I would object fundamentally. I think the policy of support for not-for-profit delivery of services in the health care sector is a policy, one, that I feel personally very strongly about, as does this government.

I believe the issue with respect to the concentration of delivery of for-profit services in the urban area speaks to the problem we have had with respect to issues of accessibility. This government is committed to expansion of the services in the not-for-profit sector and in the delivery of home care services so that there is equitable access across this province. We believe the very best way to do that is in the delivery of these services through a not-for-profit basis.

*Interjections.*

**Mrs Barbara Sullivan (Halton Centre):** On what evidence? On what basis?

**The Speaker:** The member for Halton Centre is out of order.

**Hon Ms Lankin:** I think these issues have been talked about quite often from the perspective the member raises, an ideological perspective, whether it be one that supports not-for-profit or one more akin to his government's perspective, his party's perspective.

What I would say is that there is an issue here also with respect to how we go about planning for the enhancement of these services and the delivery of them across the province. Our approach, showing preference for not-for-profit, is one that's being done in a planned way over three years, that will be phased in, and that will ensure that there isn't a disruption of services. It will also ensure a continued choice of services.

1420

**Mr Harris:** I understand the minister is questioning the reliability, if you like, or the conclusions that have been drawn by all of the studies that I have seen to date on what it is they're planning to do, trying to give those advocates of driving the private sector out of the business an opportunity to demonstrate upon what evidence they had.

One of your senior bureaucrats told the member for

Simcoe West during estimates committee, "I'm not aware of any studies that have been developed to show a cost-benefit analysis of profit or not-for-profit centres." So we know you don't have any, Minister. The private care home operators then obviously had to go out and do their own. Any independent study that we've seen demonstrates the conclusions I gave you to be correct: less accessibility, more cost, less choice. Those are the conclusions. They believe it will cost substantially more money.

Minister, as you obviously confirmed during estimates that you have not one shred of evidence other than some ideology that perhaps the Minister of Housing spouts off every week around the cabinet table about non-profit, how can you possibly justify your plans at a time when there is so little money to help with needy seniors?

**Hon Ms Lankin:** Let me take the three issues that the leader of the third party raises.

First of all, with respect to the issue of accessibility, he asserts that the independent studies commissioned by the association of the for-profit deliverers indicates that there will be less accessibility. I don't know how you can possibly say that. We have a plan that has been put in place for expansion of delivery of homemaking and in-home services over the next three years. We have seen that the moneys have been budgeted and protected through the estimates process to ensure that delivery of services take place.

We have initiated the first phase of the enhancement of services in terms of the integrated homemaking program. The issue of equitable access across the province and the issue of increased accessibility in fact is at the very heart of the long-term care reform. So I would just take great issue with that.

With respect to the issue of choice, again, with respect to looking at what is choice to the consumer, the way in which we have proposed for the delivery of services through multiservice agencies in our communities ensures that consumers have choice. It ensures that there is a whole range of agencies which are brought together to deliver these services and that the ultimate person who is in control of this, and that is choice, is the consumer.

Lastly, with respect to the issue of cost, I believe very, very profoundly that with our health care services, those services that are funded from taxpayers' dollars, all of those dollars should go to the provision of service and not to the making of profit.

**The Speaker (Hon David Warner):** Would the minister conclude her response, please.

**Hon Ms Lankin:** That's quite fundamental. I disagree completely that in fact it will be an increase in cost.

**The Speaker:** Will the minister please conclude her response.

**Hon Ms Lankin:** I will. I assert that the cost structure that is involved in delivering services in the urban centre, where the core profits are, versus the rural centres, where you want to ensure there is access, those different cost structures—

**The Speaker:** Will the minister please take her seat. Final supplementary.

**Mr Harris:** The minister says, "We have plans." We saw your plans to spend your way out of the recession. We've seen your plans for the government to build all the housing and eliminate choice in the private sector. We've seen your plans for the government to own and operate all day care. We've seen what a disaster every one of your plans has been, particularly those plans based upon this same ideology.

Seniors and their families will no longer have a choice about their care. Government's going to control and own it all. There will be less access, there will be less quality, there will be less choice, and you have not one whit of a study, any independent study—no study, even one you cooked up yourselves—to give us that shows anything the opposite of that.

Now we have a lawsuit which has been launched today which could cost millions of dollars as well in damages and just to fight it, and yet you can't tell the 10,000 home care workers who will lose their jobs why you're doing this.

Minister, let me be positive again and suggest to you that now is the time, instead of waiting for the courts to decide, to immediately announce you will put this disastrous plan completely on hold and you will work cooperatively with the private sector to provide choice and quality home care services for the seniors of this province.

**Hon Ms Lankin:** Again, we've seen on many occasions where what happens in this House is that because a member of the opposition asserts certain things to be true, it takes on a life in terms of the definition of these issues. I have to say that right at this very point, I want to object fundamentally to the way in which the leader of the third party characterizes this issue and suggests that in fact government policy is faulty in this area.

The delivery of health care services to the seniors of our province can be done through the taxpayer system in a not-for-profit delivery like our hospitals are, like our doctors' offices are—all of the health care services. As we shift from institutions to community, so should the funding structures that fund those shift in a like-minded way, which is in a not-for-profit way.

The member opposite talks about a lawsuit. At this point in time, we've heard—Mr Speaker, I have been watching the clock and I will wind up my comments. I have one area that I wish to finish.

The member asserts that the lawsuit in fact might cost the province millions of dollars. Let me say that at this point in time, other than the press conference that was held this morning, we have no information on the basis of the lawsuit. I find it strange to suggest that the government, from a matter of public policy, should be prohibited from directing public support for delivery of services to the not-for-profit sector, where it believes those services can best be delivered. Those issues, I suppose, will be pursued throughout the law case.

CARLTON MASTERS

**Mr Tim Murphy (St George-St David):** My question is over another lawsuit and is directed to the Attorney General. As the Attorney General will know, Carlton

Masters has brought a lawsuit against the government alleging a number of things: primarily, that the investigation conducted with respect to his dismissal, eventually, was biased and unfair.

My concern is that ever since these allegations have been raised, this government has dealt with this issue by way of secret internal investigations, inside deals and, frankly, stonewalling.

As examples of it, I thought it interesting in the affidavit that the deal with Mr Masters contained a non-disclosure clause, that when this issue was first raised, the Premier refused to respond to questions about it, that the government tried to quash this application in the court, and now we find that its lawyers are refusing to allow the public access to these examinations. Mr Masters himself would permit the public access. There is no reason not to allow access. The only conclusion is that there is something to hide, and I want to know what that is.

**Hon Marion Boyd (Attorney General):** Mr Speaker, our standing order 23(g)(i) indicates that you are to call a member to order when a member raises an issue that is a matter pending before the court or before a judge for judicial determination, and I am not prepared to answer the question.

**Mr Murphy:** I think what we're hearing is more stonewalling. It sounds like Roy McMurtry. It's sort of like where sub judice was Latin for stonewalling.

What I would like to get from this Attorney General is whether she is prepared to direct her lawyers to let the public into these examinations. Can I get that undertaking from you to stop the stonewalling and let the public in?

**Hon Mrs Boyd:** I'm very honoured to be compared to a predecessor Attorney General who is now the Associate Chief Justice of the General Division in Ontario. My answer remains the same.

BOBLO ISLAND

**Mr Chris Stockwell (Etobicoke West):** My question is to the Chair of the Management Board of Cabinet. My question revolves around Boblo Island and some of the concerns that are out there.

*Interjections.*

**The Speaker:** Order. The member for Etobicoke West with his question.

**Mr Stockwell:** This is a very important question for the government, because the government has given the owners of Boblo Island an \$800,000 tax deferment. That \$800,000 tax deferment has been extended to the owners of that property. I have in my possession a copy of the mortgage of the land charge, and it says right in there that they've given them an \$800,358 tax deferment on land transfer taxes.

There are a couple of concerns. As I understand it, it was bought for somewhere in the neighbourhood of US\$3.7 million; \$800,000 would assume the purchase of the property would be somewhere around \$55 million, and you've given them an \$800,000 deferment on land transfer taxes. You're short of money as it is.

They've applied through the municipality for rezoning for condominium development. My question to the



minister is, why can the public not know what the terms and conditions are for this \$800,000 tax deferment, why have they applied for rezoning, and why did you give them this deferment when you're so tight and strapped for cash today?

1430

**Hon Brian A. Charlton (Chair of the Management Board of Cabinet):** First of all, I can't answer the member's question with regard to the rezoning. I don't know why the owners of the property have applied for rezoning; I think it's a question better put to them. But in terms of the question around the tax deferment, I have no information on that particular issue. I'm prepared to pursue it for the member and get back to him with an answer.

**Mr Stockwell:** I appreciate that, because there is some concern out there. This is very interesting, that a piece of property can be bought for some US\$3.7 million and get a tax deferment for \$800,000. The actual land transfer tax portion involved in that kind of purchase would be somewhere in the neighbourhood of \$73,000. Where does the \$800,000 come from, and why have you forgiven this? These are the questions that are being asked by the public in Essex and in western Ontario and these are the kinds of answers that aren't given.

I recall very vividly when this government was talking about the airport deal and the fact the public should have a right to know what that deal was. I think that the minister should go back and check this out too. If you're prepared to go ahead and give away 800,000 hard-earned tax dollars, why can the public not know what terms and conditions and strings are attached to that \$800,000, and further, when is this deal supposed to close? What are the conditions that are going to trigger this \$800,000 and how come it's so much money? This is really baffling, not only to the people there and to this House but generally the taxpayers in this province.

**Hon Mr Charlton:** As I've said, I'm prepared to look into the matter. I'm not prepared to comment on something until I have some facts in front of me.

#### HOMOLKA CASE

**Mr Donald Abel (Wentworth North):** My question is to the Attorney General. Over the past few days there has been some media speculation about a TV program that may be airing this evening. The program, *A Current Affair*, will allegedly contain a segment about the trial of Karla Homolka. Given that there is a publication ban relating to this trial, is the Attorney General concerned that a breach of the publication ban may occur?

**Hon Marion Boyd (Attorney General):** I certainly am concerned and have expressed that concern consistently. I would like to take this opportunity to express my appreciation to the Canadian cable outlets, the border TV stations and those commercial establishments with satellite dishes that have said that they will not be broadcasting the information, they will not allow it to be seen because of their concern that it may breach the publication ban or might contain material which could eventually be considered contempt of court. I am still concerned, as the member obviously is, by reports that a

few commercial establishments with satellite dishes may be considering airing the program to their patrons tonight.

As I've stated before, the Ministry of the Attorney General is committed to protecting the integrity of the court process and we will continue to review any information that is provided to the police in order to determine whether that information gives evidence of contempt, that there has been a breach of the publication ban. I must say, I'm hopeful that all establishments will show the same consideration as those that have announced it, in ensuring that justice is done.

**Mr Abel:** There are concerns that the public will never know the details of this specific case and that the public's right to know in such a case is a very important part of just how our judicial system works. Can the Attorney General assure the House and of course all Ontarians that the details of the Karla Homolka trial will be made public?

**Hon Mrs Boyd:** I think that the member is right, that there is some confusion over the issue of the publication ban and the place of a publication ban in the Canadian justice system. It is not and will never be the crown's position that the public or the media should be prevented from knowing the facts of this case. However, as Attorney General it's my obligation to ensure that the public's right to know is balanced by the need to protect the person's right to a fair trial. The publication bans at the pre-trial stage are a long-standing tradition in our criminal justice system, where in certain circumstances there is a need to delay the release of facts and temporarily give fair trials priority over the right to know. The premature and unsubstantiated and partial release of certain facts, particularly the more salient ones, may create bias.

**The Speaker:** Could the minister conclude her response, please.

**Hon Mrs Boyd:** I would like to emphasize that our ministry remains committed to the principle of full public scrutiny of all cases that occur within the courts, but recognizing our role in the justice system, it is important that justice be done, and we would expect no less in this case.

#### MINOR HOCKEY

**Mr James J. Bradley (St Catharines):** Most members of the House will be aware of a dispute between the Canadian Amateur Hockey Association and the Ontario Minor Hockey Association which is having an extremely detrimental effect—this is to the Minister of Culture, Tourism and Recreation—on young hockey players in our province.

As a result of the action of the CAHA, we have developmental money not flowing to the OMHA; we have referees, we have managers and coaches being affected as well. As a result, youngsters are being denied access to these partially publicly funded services. The CAHA has also notified other bodies in Ontario and across Canada and in Europe and the United States that OMHA teams should not be allowed to participate in tournaments.

Could the minister bring us up to date on the activities

that have taken place in this regard? I know she's been involved in some discussions and meetings. Would she inform the House whether she's been successful in bringing the two sides together to resolve this dispute on behalf of the young players in our province?

**Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation):** I appreciate the member's question because I certainly share the great concern that he has and I know a number of members of this House have, as many parents and people around this province do, about ensuring the accessibility of our youth across Ontario to hockey programs no matter where they live and no matter what league they play in.

I did meet at the end of September, at my request, with the president of the Ontario Minor Hockey Association, Jack White, and with the vice-president. Mr White and the vice-president agreed to my request to engage in a system of mediation to try and resolve the dispute.

Over the same period of time, I've been seeking a meeting with the president of the Ontario Hockey Federation, David Watt. Mr Watt has been more difficult to arrange the meeting with. I'm now trying to arrange for a meeting with the vice-president and secretary of the Ontario Hockey Federation in order to try to gain the same kind of assurance.

I know how difficult this situation will be to mediate, and for that reason have sought the services of a very experienced mediator to be willing to provide that help, namely, Bill Kelly, who, as we know, in the past has had success with Canada Post and with the Canadian Union of Postal Workers as well.

**The Speaker (Hon David Warner):** Could the minister conclude her response, please.

**Hon Ms Swarbrick:** So that's actually where things stand at this point. I'm still hoping to be able to get the agreement of both sides to go through some mediation to try and resolve those problems through Bill Kelly.

**Mr Bradley:** The president of the Ontario Minor Hockey Association points out, as well, that many municipalities in our province are missing out on the opportunity to generate much-needed funds, because people come from afar to various tournaments, spend their money in those communities and it results in tax dollars flowing to all levels of government.

Since it appears now that the mediation efforts are not being successful, that people have dug in their heels, and since many parents have had to take their children out of hockey or have them travel from almost one end of the province to the other just for regular weekday and weekend games, would the minister now speak to the new federal minister and to the present federal minister to try to bring about a resolution of this matter at the very earliest opportunity, so that the season isn't over and these people have been denied this opportunity?

**Hon Ms Swarbrick:** I'm not giving up hope at this point on trying to resolve things within this province, but certainly if things remain unresolved at the point when a new federal cabinet is in place, I think that's a very helpful suggestion.

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## TOBACCO SMUGGLING

**Mr W. Donald Cousens (Markham):** I have a question for the Minister of Economic Development and Trade.

**Mr Gregory S. Sorbara (York Centre):** Oh, there goes question period.

**Mr Cousens:** The whole problem with the smuggling of tobacco products into Ontario—

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Mr Cousens:** We'll run out of time for sure.

The concern continues about the smuggling of tobacco products in that it seems to be almost unhindered in the way in which tobacco is being brought into our country and province illegally. The concern we have is that when people are buying tobacco products, it's almost impossible for them to distinguish between tobacco products where taxes have been paid, the legal product, and those that have been smuggled into the province.

A number of actions that could be taken include putting a very clear tax stamp on the package under the cellophane that indicates where the tobacco was manufactured and packaged. You could have a prominent health message on the tobacco product that indicates some of the concerns that all of us have expressed in the Legislature. You could require plain packaging of tobacco products to differentiate from smuggled products. You could license retailers, and by licensing retailers, if any retailer is selling an illegal product, you could withdraw—

**Mr Hans Daigeler (Nepean):** Point of order.

**The Speaker:** A point of order? I trust this is serious.

**Mr Daigeler:** I have a question to the Minister of Transportation. You have allowed both the questions being asked at great length and the answers. I would appreciate it if you would make sure that I get an opportunity to ask my question.

**The Speaker:** If the member for Markham would complete his—

**Mr David Tilson (Dufferin-Peel):** Start all over.

**Mr Cousens:** The question has to do with the smuggling of tobacco products. There are things the government could do having to do with either putting a strong, clear indication of a tax stamp to indicate the product has had a tax paid on it; you could have a prominent health message—

**The Speaker:** Would the member complete his question, please.

**Mr Cousens:** Mr Speaker, my rights are being impugned by this House unless I have a chance to at least give the preliminary remarks. I am just repeating it to take it up to the question.

**The Speaker:** I have asked the honourable member if he would complete his question. Would he now do so.

**Mr Cousens:** There are things your government could be doing to identify the illegal tobacco products from legal products. Which of these actions, and I haven't even



got through all of them, would your government be prepared to act on, if any, to begin to do something concrete to reduce the amount of smuggling of tobacco products?

**Mr Sorbara:** Okay, the four-minute challenge, Frances. Go.

**Hon Frances Lankin (Minister of Economic Development and Trade):** The question the member asks I think raises a number of important points that I understand were discussed this morning at the standing committee on finance and economic affairs. In particular, I would assume, looking at the list of presenters—

**Mr Sorbara:** Don't put it in perspective. If you run this, you'll break Bradley's record. Bradley's record is four minutes and 12 seconds.

**The Speaker:** Order.

**Hon Ms Lankin:** Sorry, I lost my train of thought with the interjection there.

**The Speaker:** Don't start over.

**Hon Ms Lankin:** I would assume that some of these suggestions were made in fact by Mr Mahood of the Non-Smokers' Rights Association, whom we have worked with over the last three years in terms of developing an approach with respect to tobacco.

There are a number of reasons that some of the suggestions you put forward would be helpful. The tax side is one. Another is with respect to curbing the consumption of tobacco. There is some evidence that plain packaging and health warnings and things of that nature can be very helpful in that respect as well.

I'm sure the member knows that the Minister of Health in fact has this issue under active development in that there is an intention to introduce legislation. I think for the details of that legislation we will have to await the introduction of the bill.

**Mr Cousens:** Well, it would be good if something were to be done, and I'm sure it's the kind of action that if the government were to come forward with more quickly, there would be a strong sense of support, certainly around this House, to see something done without a lot of delay.

One of the things I would like to ask as well of the minister has to do with what is going on in neighbouring states in the United States and also in Washington, where there is a growing interest in the whole subject around tobacco and the kind of subject that we have learned from, that in fact tobacco taxes do reduce consumption. I'd like to know whether or not you and your government are prepared to meet and actively participate in the discussions that are now ongoing in the United States among neighbouring states with ourselves to do something more to, again, reduce the amount of smuggling and to affect a decision in a positive way that reduces the use of tobacco.

**Hon Ms Lankin:** The member opposite raises another important issue, which is the relativity of taxation with respect to tobacco products here in Ontario and other provinces and of course in border states, where much of the smuggled tobacco in fact comes from.

The member may be aware—in fact I think he alluded to the fact—that there are plans being discussed in the United States with respect to an increase in tobacco taxes. That in fact is going on at the same time that there are discussions in the United States with respect to the reform of the health care plan, and there are linkages there, as there are here, with respect to these issues.

We have been involved with a number of groups that have been involved in lobbying in the US around this. If there is a way in which our government can be of assistance, I'm sure we would be pleased to do that. I'm only sorry I can't say to the member that I have specific information on those initiatives, but I will follow up on that for him.

#### COMMUNITY RECREATION FUNDING

**Mrs Ellen MacKinnon (Lambton):** My question is directed to the Minister of Culture, Tourism and Recreation. Madam Minister, as you well know, access to recreation programs encourages lifelong fitness, good health and community spirit. Participation in recreation helps avoid future health and other costs.

Youth in particular must have the opportunity to participate in recreation programs. Yet I am hearing from my constituents that they are very concerned about the future of recreation programs in this difficult fiscal climate. Recreation funding is an investment in the future. What are you doing to ensure that recreation opportunities for Ontarians are not in jeopardy?

**Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation):** The member for Lambton has made a very convincing case, which I certainly subscribe to, of the value of recreation in this province. That is why, in spite of the fiscal difficulties this government faces, we've protected more than \$8 million to help support community recreation programs.

That is, however, a reduction in the number of dollars, which was over \$12 million in the past. For that reason, we're tailoring and assigning priorities to try to help make sure we're supporting recreation in small communities and community groups that are particularly gearing themselves to the kinds of priorities that we feel are necessary at this time. I'm pleased to be able to say that we are continuing to support exactly what the member is asking us to do.

**The Speaker (Hon David Warner):** The time for oral questions has expired.

#### MINISTERIAL RESPONSE

**Mr Robert V. Callahan (Brampton South):** On a point of order, Mr Speaker, I'd ask for your guidance: Section 23(g) of the standing orders has been referred to by the Attorney General in response to a question on two occasions in this House.

The first one was with reference to a question from my friend from St George-St David on the Carlton Masters matter. She relied on section 23(g). You, as Speaker, didn't rise to indicate she was right—therefore I have to assume that she could not raise that section of the standing orders—and accordingly she was allowed to use that as a way of not answering the question.

The second question that was asked was with reference

to the member for Wentworth North of the New Democratic Party. He asked it of the Attorney General as well, dealing with the Homolka matter, which is really a matter that is pending before the courts. She did not use that argument of section 23(g) to refuse to answer that question.

Mr Speaker, I ask you to give us some interpretation of exactly when section 23(g) is applicable so that we all know when we can ask an appropriate question and not have a minister of the crown hide behind it on one occasion and just breach it on the next occasion.

**The Speaker (Hon David Warner):** First, to the member for Brampton South, indeed I understand his concern and I appreciate the point of order which he has brought to my attention.

There are in fact two distinct matters. One is something of which all members are aware; that is, questions are not appropriate if they are related to a particular case where there are criminal charges currently before the courts. I have advised the House on a previous occasion as to what the appropriate response should be.

The second part, however, is that there is no obligation on a minister to respond to a question. The member may ask a question, the minister may decline to answer or, if the minister chooses to reply, then may reply in whatever way he or she feels is most fitting in response to the question which was asked.

The question posed by the member for Wentworth North, I did not take it, was related directly to a particular case, nor did he mention the particular case. In fact I thought perhaps the honourable member was going to suggest that it might more properly have been made as a statement from the minister with respect to the matters which she spoke of, and if that had been raised in the point of order, I certainly would have understood that full well.

To the member, I hope I've been able to clarify for him that a minister does not need to reply. The minister chose to reply to both questions in the manner in which she did and that's perfectly within her right so to do.

1450

**Mr Callahan:** Mr Speaker, just one further point on that, if I might: I accept your ruling and I accept the fact that under the rule of standing orders, a minister does not have to answer the question. I'm suggesting that the difficulty in this House is that if she's not going to answer the question, she should say, "I'm not answering the question," not rely on a standing order and then continue when you, as Speaker, do not rule that she's correct. I suggest that any minister can say, "I'm not going to answer it," but they can't hide behind a rule.

You're the person who makes the rules, you're the person who interprets the rules of order, and accordingly we need some clarification so that will not happen on another occasion.

#### USE OF QUESTION PERIOD

**Mr Michael D. Harris (Nipissing):** Mr Speaker, on a point of order: Just very briefly, I noted today that the deputy Deputy Premier for the day was very long-winded, and with unanimous consent, we could allow the

member for Nepean to ask a question. He didn't get on today, and I would so request that unanimous consent for the member for Nepean to get his question on the floor.

**The Speaker (Hon David Warner):** Is there unanimous consent for the member for Nepean to ask a question? No. I heard at least one negative reply.

To the leader of the third party, in fact he raises a concern which I have expressed from time to time. I will continue to urge members who are asking questions to keep them brief and those who are replying to try to keep their answers brief.

The member for Nipissing and the member for Nepean would note that today it was necessary for the Speaker to ask two ministers to take their seats for the extreme length of time which was utilized. I can do no more than to urge members on both sides of the House to try to keep the question time as brief as possible so that as many members as possible can have an opportunity to ask questions, and I understand the concerns of the member for Nepean.

**Mrs Barbara Sullivan (Halton Centre):** Mr Speaker, on the same point of order: During question period my colleague the member for Nepean gave clear evidence of his interest in pursuing a question with the Minister of Transportation.

I believe the Attorney General presented to the House information about which we were all looking for a response from her. The information she provided to us was done not in the appropriate form, as a minister's statement, but in fact in response to a question from a member of her own party. I think if the House considers that a circumstance, it may be more generous with respect to the request of my colleague for a question, and once again I ask for unanimous consent for that question.

**The Speaker:** Two items: First, I will ask if there is unanimous consent for the member for Nepean based on new information provided. I heard at least one negative voice.

On the second point, to the member for Halton Centre, indeed I have a great deal of sympathy with the point of order which she raises. I must say that I do understand the quandary that members are placed in if they believe that the answer to a question being provided by a minister is in fact a statement. If they rise to raise it as a point of order during question period, the clock continues to run and hence you utilize valuable time.

Again, all I can do is to request of ministers that they consider very carefully items which they would wish to bring to the attention of the House and would do so either by way of ministerial statement or by placing information on the order paper. In fact the latter applies also to very detailed replies that ministers may feel are necessary. They can avail themselves of the order paper and make that information known to all members of the House.

#### PETITIONS

##### VITAL SERVICES TO TENANTS

**Mr David Turnbull (York Mills):** I have a petition addressed to the Legislative Assembly of Ontario. It reads:



"Whereas tenants suffer undue hardship when landlords break an obligation to provide vital services such as electricity, gas and hot water; and

"Whereas most municipalities are not fully empowered to compel such landlords to rectify the matter;

"We, the undersigned, hereby request that the government of Ontario enact David Turnbull's private member's bill, An Act to amend the Municipal Act in respect of vital services by-laws, to give Ontario municipalities the authority to quickly restore vital services to occupants of rented premises when landlords fail to do so."

This is signed by many dozens of tenants, some of them in my riding. I must say also, I note here on the very first page somebody here in Downsview who is supporting this and I do affix my signature too.

#### HIGHWAY NOISE BARRIERS

**Mr George Mammoliti (Yorkview):** This petition is addressed to the provincial Legislature.

"To the provincial Legislative Assembly of Ontario:

"Whereas we, the residents of the Oakdale Acres community, who reside in the Yorkview riding, request that a noise barrier be placed to minimize noise pollution along the 401 highway from Jane Street west to Weston Road and along the 400 highway from Highway 401 north to Sheppard Avenue West;

"We, the undersigned, petition the provincial Legislative Assembly to accept this petition and request this noise barrier."

#### CASINO GAMBLING

**Ms Christel Haeck (St Catharines-Brock):** I am herewith presenting a petition signed by 17 people from the interchurch committee on gambling and lotteries who oppose gambling casinos. I am submitting it for your perusal.

**Mr Paul Klopp (Huron):** I have a petition from the Grand Bend United Church with regard to gambling. There are a number of people, over 200 names, who are opposed to gambling. I here submit it for the House today.

#### ORDERS OF THE DAY

##### INTERIM SUPPLY

Mr Charlton, on behalf of Mr Laughren, moved government notice of motion number 10:

That the Minister of Finance be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing November 1, 1993, and ending December 31, 1993, such payments to be charged to the proper appropriation following the voting of supply.

**Hon Brian A. Charlton (Government House Leader):** I believe we have an agreement between myself and the two other House leaders that the Minister of Finance's parliamentary assistant will make a short opening statement, and then the two opposition parties will split the remaining time until 5:55.

**The Speaker (Hon David Warner):** Is that agreed? Agreed.

**Mr Kimble Sutherland (Oxford):** I appreciate the opportunity to make some comments to the interim

supply motion. Everyone is familiar with interim supply. It's a very straightforward process to allow us to meet our payroll, contractual and program responsibilities. The impact of not passing interim supply or leaving it until next week would be substantial; some \$380 million would not be paid out to different organizations, doctors etc.

At this time, when we're talking about the interim supply, I'd like to provide some economic and fiscal background to the introduction of this motion. I will keep my remarks short, because I'm sure there are many opposition members who want to use this opportunity to talk about interim supply, and maybe a host of other issues.

The economic trends are very well known by now. We are in the deepest recession since the 1930s. This recession has been driven to a considerable extent by the policies of the still current federal government but soon to be the previous federal government due to some of its trade policies, monetary policies, other policies that it has carried out.

It's had a disproportionate impact on Ontario: 70% of all job losses across Canada have occurred in this province and unemployment has more than doubled. Even with that said, our situation is not totally unique. Recession is still affecting other countries and other areas.

#### 1500

Economic recovery is under way in the province. The gross domestic product is up 3.2% in the second quarter of this year. Export performance and business investment are increasing due to our lower dollar and better competitiveness. There is some growth in the employment sector, over 116,000 jobs since the low point of the recession. Profits are up for corporations and the medium-term growth is expected to be good for Canada and also for the province of Ontario.

The province is acting very responsibly. We have attempted to balance fiscal realities with the need to preserve and to create jobs. Ontario has played a very strong role in supporting efforts to get the economy moving again. We're well aware of what we've done on the fiscal side: \$4 in spending cuts which reach \$1 in taxes; the social contract, getting a handle on public sector compensation costs while preserving jobs and services; and also the revenue measures, which were based on fairness and ability to pay.

We've also done quite an extensive job on job creation in terms of maintaining and creating jobs. As I mentioned, a key element of the social contract was not just the savings component of it but also the job security components and the workplace rights components for employees in the public sector and broader public sector. The alternative to that, of course, would have been the loss of thousands of jobs, which obviously was unacceptable to this government. Given the difficult recession and economic times, it would not have been a good choice to be putting more people out of work.

Our Jobs Ontario strategy has worked very well, including Jobs Ontario Training, which is designed for

workplace adjustment and training. This year, \$329 million has been spent to support 40,000 new jobs through Jobs Ontario Training—impressive. Some \$1.2 billion has been committed to training and adjustment this year, almost twice the level of four years ago. There have been many notable firms participating in this program, firms of all sizes, as a matter of fact: large firms such as Chrysler and Navistar and Apotex, and other, smaller firms in all of our communities. We've also negotiated sectoral deals worth \$22 million to provide training and skills upgrading to 37,000 workers in the electrical, electronics, auto parts and steel sectors.

Regarding direct job creation, the Jobs Ontario Capital program is working very effectively to help support a more productive and knowledge-based economy. Over 8,000 jobs were created last year to maintain buildings, roads and schools, provide clean water, and of course build telecommunications networks. This year we're expecting to create 12,000 full-year jobs.

The other components include Jobs Ontario Homes, with construction on 2,200 units this fall, creating more jobs. The success of our non-profit housing program is extensive too.

We also had the Jobs Ontario Youth program this summer. Over 10,000 summer jobs were created, and that exceeded the target for the second consecutive year.

So you can see that the government has taken extensive efforts to deal with the difficult economic times both on the fiscal side, on the economic side, and on the employment side. This government does have a very strong plan for dealing with the economy, and that plan is in place. It is working in all the communities. I know it's working in my community, I know it's working in my colleagues' communities, and now that maybe we have a federal government that might be willing to cooperate with us, we can do even more to make our very successful Jobs Ontario plan work more effectively.

With that, I will conclude my remarks and just once again repeat for those who may be watching that there is a very clear plan to deal with the fiscal realities, the economic realities, and to get people back to work, which is the number one priority.

**The Speaker:** I thank the honourable member for Oxford and invite further debate.

**Ms Dianne Poole (Eglinton):** I'm always pleased to participate in interim supply. Because it relates to the spending of the government and the authorization for government spending for this quarter, it means that the debate is usually quite wide-ranging and there are a number of interesting topics.

One of the things I would like to look at today is whether the priority this government gives is to the protection and treatment of our children. I think all members are aware that last week was Week of the Child and in fact the motto was "Cherish the Children." So perhaps this is an appropriate time to talk about this subject.

As with most members, I tend to look at legislation and policies through my own personal experiences, and I find that quite often I look at what's happening as to

the effect it's going to have on my two children, Scott and Kathleen, and what affect it's going to have on their future and the future of all our children.

For instance, when there was a government policy to remove and eliminate the \$100 bursary for the Ontario scholarship fund, that to me was sending out the wrong message, because surely we want to encourage our children to excel. It's not the monetary amount, although to some young people it might be significant; it's also the message that we value what they're doing and want to encourage them to do so. There are also changes to our educational system, and I think any one of us could probably talk the full afternoon on the impact of those changes on our children, but I'd like to go on to some of the other areas where we don't talk about it all that often.

One of the topics that was discussed yesterday was children's services and the user fees that are going to be imposed. It's a decision basically to generate revenue through user fees for children's services funded under the Child and Family Services Act.

I guess one of the things that concerns me was that it was done without consultation with the parents. It seemed to appear out of the blue, and we're talking significant amounts of dollars. We're talking \$4.3 million for this fiscal year, 1993-94, and then an additional \$6.7 million thereafter: significant moneys.

I was quite surprised because I thought the NDP government has been quite sensitive in recognizing in the social contract that when you're dealing with the agencies funded under Comsoc—that's the Ministry of Community and Social Services—there should be certain exemptions for very valid reasons. We're all aware of the increased demand and the pressures on community and social services, we're aware of the low wages of staff, and we're aware too that the areas in which they provide service, I think, are classified as necessities, and we certainly support the continuation. So it was with surprise that I saw that there was going to be an ad hoc imposition of user fees.

I thought some of the comments Yvonne O'Neill made yesterday were extremely telling. She asked why this government is taking these punitive measures against children: "Why target children's services in the Ministry of Community and Social Services? Why target counselling? Why target services for youth in secure custody? Why target parental support in the care of disabled children?" It is the vulnerable children we're talking about. We're talking about those in the care of the children's aid societies. We're talking about those who use young offenders' services, services for the developmentally handicapped, children's mental health services, so they are really essential services and vital to our special children who have special needs. Since 80% of the parents and families that the government is asking to pay for services are already living below the poverty line, I think it's particularly important that we not target this sector.

1510

There are many other areas in which we have to look at children's services and our policies around children to decide whether we are in fact doing our best to support



services for children. One of them that I particularly support is the graduated licence system on which the government has recently brought in draft legislation and has held hearings for. This was on the table during the days of the Liberal government, and I am glad it is finally coming to fruition.

I think it's fair to say, and I certainly can say it as a mother of an 18-year-old son, that there is a sense of the young people that they are invulnerable, that things can't happen to them, so when they go out on our highways and our streets in an automobile or truck, they tend to think they are in command of the situation.

This past spring my son had just gotten his licence and had been driving for only a number of months when he was travelling on Highway 400 with some friends and was in an accident. The car in front of him lost control. They were going around 80 kilometres per hour and there was a multicar crash, and our car was damaged.

I was really quite grateful because my son was not injured, nor any of the passengers in the car with him, the other young people. Yet he came back and he said: "Mom, I never believed it could happen so quickly. The car in front of me just suddenly went out of control." He said, "I always thought I was a good driver until that happened, and I realize I've still got a lot to learn." I think the graduated licence system really gives an opportunity for our young people to have some guidance and to have adult supervision and to continue the learning process before they're on their own.

There are other things we've done in this Legislature to protect our children. Just last December we had a unanimous quick passage of a piece of legislation to protect our young people against the fevers of gambling. This was to ensure that they weren't betting under the Pro Line. We heard stories of young children betting not only their allowance but extravagant sums. That was something we as a Legislature certainly decided we did not want to support.

Some of the protections we've put in for children over the years, long before we came here, are that we restrict the sale of cigarettes—that's a federal provision—and we restrict the sale of alcohol to young people; there is definitely a drinking age. Right now we're deciding whether to make bicycle helmets mandatory. Those are all things we're talking about in protecting our children.

But one way in which I don't feel that we as legislators have done our part in protecting children is that we have allowed the escalation of violence in entertainment and perhaps not done all we could have over the years to try to stop this. It's obvious that there is a definite correlation between violence in entertainment and the violence our children act out. We're talking not only television; we're talking movies, we're talking video games, we're talking slasher films, things such as the violent crime cards, which is the newest wave.

There have been a number of members who have spoken out about this in the House in the last year. Lyn McLeod has done it on a number of occasions, and I'm actually extremely delighted that Lyn had taken that initiative, because it seems that when Margaret Marland, the critic for the third party, and myself raise these issues

in the Legislature, the media don't seem to pay any attention. They don't seem to think it's an important issue, and they look at censorship and think this is the thin edge of the wedge.

I'd like to just apprise members in the House of some of the studies on the correlation between children's watching of television and films and violence. I'm quoting from a book entitled *Unreliable Sources: A Guide to Detecting Bias in News Media*, published in 1990.

"American mass media are strongly against violence, and, in doublespeak fashion, they strongly encourage it. Every decade the average TV viewer takes in more than 100,000 acts of violence. The acclimation to 'solving' problems with violence starts very early.

"Saturday morning cartoon shows are replete with violence, as role-model characters express anger by clobbering each other. When children watch prime time, it's even worse. The 8:00 to 9:00 pm time period is now the most violent hour of the TV day. Overall the average child sees more than 1,000 dramatized murders on TV every year.

"But does all that televised violence make children more aggressive? TV network executives say no, pointing to a study commissioned by NBC. However, the American Psychological Association... [says] three separate independent examinations of the study each 'concluded that the network-hired researchers misinterpreted their own evidence and that NBC's own data actually showed a causal relationship between television violence and the increased aggression in children.' In fact, according to the Knight-Ridder news service, out of 85 major studies on the subject, the NBC study was the only one that did not find a direct connection.

"'We keep pumping children with the messages that violence is the way to solve their problems—and some of it takes hold,' commented [the] co-director of the Center for Research on the Influence of Television on Children."

It quotes a reporter, Carl Cannon, as saying that evidence on television violence "comes in studies—more than 3,000 of them—almost all of which shows that children who watch television violence are more prone to use physical aggression than those who don't.

"It comes in sombre warnings from child psychologists who can tell after one visit which preschool-age children watch violent television and which do not."

And "It comes in the configurations of the corpses, mutilated by disturbed teenagers to resemble victims in slasher movies that find their way on to television."

It is very clear that the evidence is showing clearly that the impact of television and movies on children is quite formidable.

"According to Brandon Centerwall of the department of psychiatry at the University of Washington, as many as half of all violent crimes, including rape, assault and vandalism, are related to the impact of television violence on American and Canadian society.

"Noted psychiatrist Michael Stone, a specialist...at Columbia College of Physicians and Surgeons, has no doubt that the media play an important role as inciters to violence in people from unstable families. Usually they

are themselves victims of family violence. 'It acts as a spur,' he says, 'an endorsement of their own violent impulses, and even teaches them how to go about it.'

A psychologist at the University of Bergen in Norway says, "Kids, especially if they're immature, tend to admire and emulate these tough heroes that settle conflicts violently and come out, for the most part, unscathed.' Watching aggressive behaviour that has no negative consequences 'is likely to induce inhibitions or controls against aggressive behaviour,'" he says. And he talks about the blunting that occurs, "reduced sensitivity—particularly to the suffering of the victims, because often that's not shown."

There is an important point contained in here: Television violence is not going to be the sole cause of violent aggression in children. It comes from many different sources including an impoverished home life, but it certainly is, as was indicated, a spur.

In Toronto they have done a study with young children. They looked at children chosen from grades 4 and 5, randomly, as well as from grades 7 and 8. The findings were quite in keeping with what they were finding in the United States. They said:

"Most of the children, regardless of gender, socioeconomic status or ethnic background, watched as many as four hours of TV or videos a day.

"Viewing logs the children kept showed that material watched, fictional and non-fictional, was often extremely violent."

They name a number of violent TV shows that the children regularly watched, and said, "Only three titles of 32 mentioned could be strictly classed as for children."

The two researchers, Corbeil and Campbell, noted that the children were:

"Extremely eager' to discuss their viewing habits. For many, talking about TV and videos with adults was a novel experience."

I think that's a message for us as well, that perhaps we don't talk to our children about what they're watching enough, and we don't monitor what they're watching.

1520

There are a number of studies, and I won't go into all of them. As I mentioned, there are over 3,000 studies which point to the same direction, which is that television and movie violence has an extreme impact on our children. What I found very significant was that a friend of mine recently made a presentation at the retreat to the OFRB, the Ontario Film Review Board, about violence and the impact on children, and she was asked by a number of the board members afterwards: Well, could she provide some of these studies, because they really hadn't heard that there were studies showing that there was a direct link between children and the violence that they're watching. I thought this was a very telling comment, because our Ontario Film Review Board is our watchdog over what children and adults should be watching in our province. If they aren't aware that there is a definite problem, then perhaps their sensitivity training isn't as good as it could be.

There was a recent article in Maclean's just a couple of months ago and I found the figures they quoted quite astounding. They quoted George Gerbner, a communications professor at the University of Pennsylvania, who said that prime time dramatic programming in North America features an average of six to eight acts of violence an hour and two murders every evening.

It went on to say that "Gregory Fouts, a psychology professor at the University of Calgary who has studied the effect of television on the behaviour of children, says that there are, on average, 25 to 27 acts of violence an hour in children's programming, which is made up largely of cartoons." This is very disturbing, because it's getting worse and worse and there doesn't seem to be an end to it.

There are some positive things that are happening that the CRTC is involved in. In fact, they recently held a conference in February on TV violence, and at that time, in March, Keith Spicer, who is the chair of the CRTC, the Canadian Radio-television and Telecommunications Commission, wrote a letter to the Globe and Mail. The Globe had written an editorial which seemed to think there was no research on the issue or that the research was inconclusive, and Keith Spicer wrote back, and I'll read you a few excerpts:

"It's fair that you slam Parliament for listening to a petition from 1.3 million concerned Canadians. And it's fine that you knock the Canadian Radio-television and Telecommunications Commission for saying there's plainly a link between a relentless diet of TV violence and disturbed behaviour in children. But you quote just one obscure professor, and claim there is not even one reputable study conclusively establishing a causal link.

"At the February 20-21 conference on TV violence at Toronto's C.M. Hinckle Institute, some of the top experts in the US and Canada confirmed that research overwhelmingly proves that excessive TV violence hurts children by contributing to desensitization, aggression, impaired learning abilities, increased bullying and weapons use. University of California Professor Edward Donnerstein quoted from a long list of studies. For example: 'In magnitude, television violence is as strongly correlated with aggressive behaviour as any other behavioral variable that has been measured.'"

He says, "For the last 20 years, there has been one overriding finding...the mass media are significant contributors to the aggressive behaviour and aggression-related attitudes of many children, adolescents and adults," and this comes from the American Psychological Association Commission on Violence and Youth.

"If any other product were linked to a major health threat on even much flimsier evidence, you would be screaming for it to be removed from the shelves. Why are you willing to risk children's mental health and more than their physical well-being?"

One of the arguments used against trying to restrict this type of gratuitous violence that we see on television and movies and our video games is the issue of censorship. But I think that there are certain things that the charter tells us. First, it says that there are limits that are acceptable and reasonable in a free and democratic



society, and I think the countervailing protection, particularly of children and women, makes a very strong case for banning things such as snuff movies, slasher movies and other kinds of violent entertainment.

One thing I think most people, even the civil libertarians who are the strongest against any type of censorship, will all agree on is that our children, at the very least, deserve to be protected.

There are several issues that Lyn McLeod and I have brought to the attention of the House which relate to the protection of children. One I feel very strongly about is that of slasher films. The Coalition for the Safety of Our Daughters has led the fight to have these terrible films, which celebrate the mutilation and death of young women, at the very least restricted for viewing by our children. I personally would like to see them banned. There is absolutely no artistic merit in them; they are vicious films; I can't believe that it is normal, reasonable people who watch these. They are very sick, sick films.

One of the things that disturbed me the most was that they were being used almost as a rite of passage to young males, 13-to-15-year-old males, and one of the ways they could show that they'd become a man was to sit through an evening of these gory slasher films and watch the mutilation and violent death of these young women. I'm saying again, what kind of messages are we sending to our young people?

I did introduce a resolution, which was passed unanimously by this House in April, urging the government to act in terms of completing its review of the Ontario Film Review Board, changing the rating system, putting warning labels on certain of these films so that parents would understand what is out there, and a number of steps which I feel would have gone a long way to help solve the proliferation of slasher films.

A lot of my recommendations I based on the report of the Ontario Law Reform Commission. In fact, one of the things that they had advocated and recommended was a sticker system that would identify very clearly the content of the particular videos in question, and the Ontario Law Reform Commission has called for the board to implement a sticker system to display classifications on both the box and the cassette itself. The commission sees these stickers as a way to curb children's access to restricted videos and to keep tabs on the way these videos are made and distributed.

One of the things that has happened, of course, is that the technology of videos has just exploded over the last decade, and it's not something that our legislation can cope with. The original Theatres Act was not designed to deal with the proliferation of VCRs in our society and videocassettes; it was designed to deal with the theatres. I am very, very strongly urging the Minister of Consumer and Commercial Relations to revamp the Theatres Act and to act to ensure that these films are not being distributed widely in our province, many of them at our neighbourhood video stores.

One of the things that has distressed me, as I mentioned earlier, is the fact that the media seems unwilling to tackle this particular issue. There have been a few newspapers that have been very good. CITY TV, not too

long ago, ran I think it was about a 15-minute exposé, if I could call it that, on this whole business and how sickening it is, but very few have really been willing to speak out.

The Kitchener-Waterloo Record is one that I find has been very outspoken and very willing to go to the wall and say, "We need to do something about this escalating violence." They said in an editorial in January:

"Most Ontarians don't wish to censor or restrict movies merely because of bad language or plain sex, but they do want to curb films with gratuitous violence, especially violence connected with sex. The film review board should offer better and more thorough protection to film and video viewers yet it can't even handle its current load.

1530

The board needs to adopt a new rating approach. It should consider swapping information about easily categorized films like *The Little Mermaid* with other provinces to eliminate the need for every jurisdiction to review its films.

It should also create a category similar to the American NC17 rating, no customer below age 17, for films where even the restricted designation is too mild. In addition, it should toughen its rating of films featuring gratuitous violence, certainly where it's mixed with sex.

I think that's an important point I wish to make. When you're talking about pornography, I'm not talking about erotica, I'm not talking about sexual explicitness; I'm talking about the pornography of violence. I think it is very, very harmful and that we do have to attempt to curb it.

One of the other issues that has been brought to the House's attention in recent days is the violent crime cards which some of the media have called serial killer cards. These trading cards are sketches of convicted serial killers and mass murderers and organized crime figures, and they have blotches of red ink, which depicts blood, to smear across the front of the cards. Then the backs of the cards give details of murders, the weapons used and the serial killers themselves.

Again, it's the message that these are sending to our children, because they are in a trading card format, a format that has been reserved before for heroes for our children. But we're not talking about a Paul Molitor here or a Doug Gilmour; we're talking about violent killers. Yet right now our children can walk into any trading card store that carries these and take them off the shelf.

The outcry from parents on this has been really quite amazing. Some will believe that this is not an important issue. They're saying, "Well, they're just trading cards, so big deal." But it's part of the desensitization of our children, and are we now saying that our children have a new set of heroes? I don't think so. I don't think that's what we want for them.

Obviously, with any type of legislation where you're talking a ban or a partial ban or a restriction, there are always issues raised such as freedom. Freedom of expression, the old censorship arguments all come to the fore. But as I mentioned earlier in my speech, we as a

society have decided there are certain restrictions for our children that are in their benefit. That is why we say they can't drink till a certain age. That's why we say they have to be a certain age before they can smoke. That's why we say they have to be a certain age before they can gamble. It's why we may well be legislating bicycle helmets. There are certain safety mechanisms to protect our children.

I am particularly dismayed that the provincial government does not act, and I recognize that this, as well as the slasher films shown, has implications for the federal government. The slasher films involve amending the Criminal Code, the obscenity provision. That is a federal responsibility. But there are things for the slasher films that we can do as a provincial government, and I've already outlined a few of them, such as revamping our Ontario Film Review Board, which is supposed to be the arbiter of community standards and yet is a closed shop.

People don't know what their guidelines are. People don't know how they rate them. People are not welcome to their board meetings. Everything is an internal matter, and even though people are picked from across the province to sit on this board, in many ways parents and the people of this province do not feel that they reflect our standards.

With the serial killer trading cards or the violent crime cards, again it has been suggested it's a federal jurisdiction because the federal government can stop them coming across the border, and also the federal legislation has a provision about crime comics and publication. Well, this isn't included in the crime comics and publication section. These trading cards didn't exist until the past year, so there's a void and the provincial government can go in and say these are restricted in the province of Ontario, at a minimum, to be sold to our children.

I don't see any artistic merit in these cards. I don't see any value whatsoever in them. For people who say they're a source of information, it's a sad commentary if this is the type of information you're going to these trading cards for. I think our provincial government can go in to restrict the sale of these cards and to protect our children.

These issues aren't always easy. They are also issues which we don't have a unanimous opinion on or unanimous consent that this is the way to deal with them. But I think one thing we do share is our willingness to protect our young people. The violence that has been in television and in movies and with video games is reaching an alarming proportion. If we, as legislators, aren't willing to draw that line in the sand and to say, "It's time for us to act," then we are as guilty as those who are selling all this violent pornography and these violent movies and these violent television shows, because we will have stood back and done nothing.

I certainly intend to lobby our federal counterparts to do their share. Federal action could help curb these problems, not only in Ontario but across our nation. In the meantime, because it may be several months before the new government has an opportunity to look at these issues and to initiate action, our government has been aware of these issues for many months in Ontario and we

could take action. All it requires is the political will.

I say to you in the government, if you believe, as I believe, that one of our moral imperatives in this Legislature is to act to protect our children, then we do have to draw that line in the sand and we have to act. We have to show leadership. We have to show people that politicians are not just hot air, that we are willing to take a leadership position; we're willing to take what might be an unpopular action in some circles. If we have the courage to do it, I think years down the line our children will thank us, because at least we will have had the courage to do something.

**Mr Robert W. Runciman (Leeds-Grenville):** I appreciate the opportunity to participate in this debate dealing with interim supply for the government. I want to take some time to talk about issues related to the finances of the province and where we're going, which is not a prospect in terms of down the road that many of us should feel very pleased about.

I want to make some reference to a number of articles that have been written in the past month or so, some dealing with the federal election, commenting on the provincial scene, and some going back prior to the provincial election but as well dealing with the Ontario government's budget and with some of the programs instituted under Liberal and NDP governments that have put us in severe difficulties at this time.

The first I want to mention is an article in the *Globe and Mail* on Monday, October 18, written by Peter Cook, who's a columnist in the Report on Business section. It was quite alarming to me and a shock, as a member of this Legislature not to mention as a resident and taxpayer of this province, to read some of the things Mr Cook brought forward.

He was talking about the greatest borrowers in the world in terms of governments, and "among the great borrowers of the world," I'm quoting Mr Cook, "the province of Ontario is in fourth place overall."

Think of that, Mr Speaker: The province of Ontario is the fourth-largest borrower in the world. "In fiscal 1992-93, Ontario went to global bond markets for US\$8.6 billion." That's over, what, C\$11 billion, that the province of Ontario, with a population of 10 million people—the fourth-largest borrower in the world. If that doesn't frighten you and an awful lot of people out there, it certainly should.

1540

One of the things that constantly amazes me—and certainly we witnessed this in the federal election—there was some effort by at least a couple of parties to talk about the deficit, the federal deficit and the national deficit. If you take a look at not just the federal situation but also the combined debts and deficits of provincial regimes, Canada is in a pretty significant problem.

Ontario, since the NDP assumed power, is consistently running \$10-billion, \$12-billion deficits. That's what we know about, despite the juggling of the books that has occurred, and for part of which the Provincial Auditor has criticized the current government. This seems to be an acceptable practice.



I think in many respects governments of whatever political stripe have been allowed to do this, in fact even encouraged to some degree by the electorate at large. We saw this in the federal election, where we have more people calling for more spending and supporting parties that are saying we can go slow on the deficit, we can incur more debt and it's not going to have any long-term, harmful impact. We're just kidding ourselves.

At some point in time we're going to hit the brick wall, and I don't think it's too far down the road. But of course the current government doesn't seem to have any significant concern about that. They're looking at getting over their mandate and trying to institute their radical reforms prior to their leaving office in a year and a half or a few months thereafter and, in my view, doing irreparable harm to this province in that period of time, not to mention what they've already done up to this point.

Mr Cook, whom I quoted, also talks about this situation and he concludes with the fact that Canadians have not been told how serious this situation is and will for the most part be surprised by a crisis. I'm not sure that I quite agree with Mr Cook in that respect. I think there have been efforts made to educate the people of this country and this province in respect to the debt and deficit crisis, but I don't think they want to listen.

As legislators, we all have people knocking on our doors on a pretty regular basis asking for more funds for their particular interest or for more funds for their particular kind of project. Sure, they agree on cutbacks, as long as they don't land on their doorstep, as long as they don't impact on them or their families or their businesses or their particular own interests.

There hasn't been this effort to all understand the critical situation that we're in and to get into the boat and row together. In fact, it's quite the opposite. So I think we can't blame it all on politicians and political parties. I don't think there's a willingness out there on the part of the vast majority of Canadians up to this point, and Ontarians, to accept the reality of the forthcoming debt crisis.

Mr Cook, and I want to quote him again, is talking about the impact of the debt and deficits and I'll quote:

"It is constraining economic growth and harming job creation. It is purloining funds that could otherwise go into productive investment. It is putting a permanent floor under the cost of money that makes us less competitive in the world. It is making us one of the highest-taxed nations on Earth. It is building up an enormous external debt that is in reality a future charge against our incomes and our children's incomes. And, last but not least, it is threatening our social programs," which again is an irony of the last federal election.

When we talk about all of the platitudes in respect to concern for preservation of universality in all of our social programs, the reality is we're putting all of those things that Canadians hold precious in jeopardy by this increasing spending binge and not being prepared to come to grips with the financial reality facing us all. I mean, how can any of us who sit back and just contemplate it continually spend in the neighbourhood of \$10

billion to \$12 billion annually more than we're taking in? You sit back and look at that and say, "Well, that's okay. That's fine. I have my home, I have my car. I have a job,"—for those 80% or 90% who are working. "Don't you cut my services. Don't you impact on me negatively in any way, shape or form."

We have to stop and take a look at the situation. I suggest, as Mr Cook has, let's take a minute, step back and consider our children. Let's consider our grandchildren. These are taxes, these are debts, that will have to be repaid. What's going to happen? We're going to be in such a significant problem, such dire straits, effectively—we're broaching that now, in my view. These kinds of services we've come to be used to and that we can afford—if we handled our finances in a much more respectable and responsible way, we could afford the kinds of programs we have in Canada. The only reason we're in problems now is because of spending binges and the significant debt we've incurred and the interest costs based on that debt. We continue to build and increase the debt. The NDP is going to double the debt. In four years in office they're going to double the provincial debt. If that doesn't concern anyone, it certainly should. What should concern people even more—

**Mr Anthony Perruzza (Downsview):** Come on, wake up, wake up. It's happening in the western world, it's happening in the eastern world and it's happening in the other world as well.

**The Acting Speaker (Mr Noble Villeneuve):** Order, please. The member for Leeds-Grenville has the floor.

**Mr Runciman:** What should concern people even more is the quality of members, like the member for Downsview, supposedly representing the government. That should certainly not give any of us hope for the future when we have individuals like that, the member for Downsview scoffing at a \$10-billion or \$12-billion annual deficit and the impact it's going to have on provincial programs.

**Mr Perruzza:** That's what you have been saying for the last nine years: The voters don't count. Well, the voters have spoken, okay? It's registered. You guys are wiped out. In fact, read the quote of the day on the front page of the *Globe and Mail*.

**The Acting Speaker:** To the member for Downsview: Please, the member for Leeds-Grenville has the floor.

**Mr Runciman:** Thank you, Mr Speaker. I'll just consider where that came from, the individual wearing jeans, and his colleagues who come in here in bare feet and have no respect for this chamber and no respect for other members who are trying to participate in a debate, but that's pretty indicative of the quality of people who occupy those benches.

**Mrs Ellen MacKinnon (Lambton):** On a point of personal privilege, Mr Speaker: I resent that last remark. I don't class myself like that at all. I absolutely resent it. I wish he would withdraw.

**Mr Runciman:** I'm sorry the member resembles that remark.

I want to carry on in respect to a number of issues that we should all be concerned about. Health care fraud is

certainly one that's been raised on a number of occasions, and this government seems to be slow to move in respect to dealing with it.

The Provincial Auditor, I think in a report last year, indicated that health care fraud represented somewhere in the neighbourhood of \$691 million annually. I want to go through a number of these points that were raised by the Provincial Auditor in respect just to health care fraud, put them on the record, and raise the spectre of federal programs and also provincial programs related to, in some respects, immigration and refugee programs.

I found it quite interesting to read an article reporting on a speech by Supreme Court Justice John Sopinka this morning, where Justice Sopinka said, "Political correctness is called a threat to freedom of speech." I certainly have to agree in respect with Justice Sopinka's views. He said that some groups—feminists, gays, visible minorities—"are no longer content to express their ideas, but demand that the contrary views be suppressed. What may be thought to be correct today may be thought to be incorrect tomorrow."

These are the kinds of issues where even if you make a reference to some problems that may be created in the provincial domain or the federal domain in respect to immigration or refugee programs, there are those out there—and we saw this, certainly, in the federal election—who are going to immediately castigate you and try to label you as someone other than who you are and try to cast aspersions on your motivations.

1550

I want to talk about this issue and I'm going to put the concerns of the Provincial Auditor on the record. Among some of his reported findings in respect to OHIP fraud:

"Twenty-six per cent of all addresses used by OHIP cardholders are incorrect.

"About 60,000 OHIP registrants over the age of 16 may be non-residents.

"The eligibility of more than 44,000 landed immigrants and almost 5,000 refugees is questionable, because of improper documentation.

"An estimated 30,000 individuals are registered for health coverage who are facing deportation....

"There is extensive use of the health care system by foreign workers, including some who incur substantial medical claims soon after registering for coverage.

"Accompanying family members of foreign workers and students also make substantial use of the Ontario health care system....

"There are many cases of someone arriving in Ontario, applying for a health number and then immediately incurring major medical claims."

Those are the kinds of concerns that were brought to the attention of this government some time ago by the Provincial Auditor. We've heard allegations in respect to some members of the Somalian community having a fraud scam. That happens to be related to welfare, but I think we saw something in the media today where some of our officials in the federal government have come across health cards being produced in Somalia and

shipped to Canada: Ontario OHIP cards being manufactured in Somalia and being transported to Canada.

I think Canada has a reputation, and I think in some respects we can be proud of it, but I think we've gone overboard in respect to this open-door policy, in effect opening the vault and telling the world: "Come on in, boys. It's there for the taking." We have to tighten it up and we have to do significant things in the area of health care fraud to make sure that we don't continue with a policy and programs that are so prone to abuse that it could be costing us as Canadian taxpayers. People have contributed to this system over their lifetimes, their parents have contributed, their grandparents have contributed, and now we're seeing that system ripped off to the tune of close to, we're told, \$1 billion a year.

It's simply unbelievable, and this government seems totally baffled in terms of how to deal with it. Our party, the Progressive Conservative Party, has I think made some very constructive proposals and suggestions but, for whatever reasons, the government, as it does in so many other areas when we try to make constructive proposals and suggestions, seems frozen in time, completely unable to take action.

I've seen that in my own area, in the law and order field, when I raise issues where it seems to me it could be so simple for the government to deal with these in a matter-of-fact, quick-response way of doing it. They get up with this political doublespeak, simply do not provide answers and do nothing. It's amazing for someone who has sat in this House for 12½ years to watch this crowd, the gang that can't shoot straight, simply not able to come to grips with the significant problems facing this province, let alone some that aren't so significant.

I talked about the welfare system briefly and the problems we're having in welfare. My leader mentioned this today and was the subject of some abuse because of a situation that occurred during the summer when he tried to make a point with a lady who was leaving a job where she received in excess of \$40,000 a year, who had made a decision to leave that job and move on to the welfare system, on to the social assistance program in the province of Ontario.

The point my leader was trying to make, and has been trying to make for some time, is that the system is simply too rich. The rationale for that, of course, is what's taken place during the Liberal and NDP years in power. I did have some figures here, but I've got too many papers around the place. But if you take a look at what's happened in respect to the welfare benefits, they have significantly increased over the period of time the Liberals and NDP have been in office. Even during the good times when the Liberals were enjoying a booming economy, the social assistance case load was increasing, because they had increased the level of benefits to the extent that it was not very attractive, to say the least, for certain people to go to work. When you're making a minimum wage of \$6 an hour in this province and you compare that with individuals on social assistance, it doesn't make an awful lot of sense to go out and work your tail off for 40 hours while your neighbour is on social assistance making a comparable income.



How did the NDP respond to that? They brought in these supplements for the working poor to bring them up to the welfare level.

**Mr James J. Bradley (St Catharines):** I am going to Mills's press conference tomorrow.

**Mr Runciman:** Yes. Supplements to bring the working poor up to the welfare level. Believe it or not, that's the socialist answer, and the fact that instead of taking a look at the real problems in the welfare system, we've made this system too easy to access, too expensive, and provided disincentives to people for getting off social assistance. Those are major problems.

Others will talk about the housing programs. The Minister of Housing is perhaps the worst ideologue sitting on that side of the House. You can stand here and shout yourself blue, hit yourself on the head with a hammer, I don't care: You can't make that woman understand a commonsense message. You can hold up all the charts and graphs, all the statistics you want that she's pouring billions of our money down a hole, down a sewer, effectively, with her public housing policies, but it doesn't make a dent on that lady.

I've gotten to the point where I'm not going to let my blood pressure get out of hand any more. After two and a half to three years with these characters, I'm simply not going to do it. I've accepted that they can't understand. They're not willing to understand. The people who are controlling the show over there are strict ideologues, socialists, and they simply see everything being in the public domain. If it's private sector, forget it, it isn't any good. It's Big Brother. Big Brother is the answer to all of our problems.

On the housing thing, I don't have the stats on this again, but I've been told that in Metro Toronto the bulk of public housing now is going to immigrants and refugee claimants. All the new units coming on the market are going to non-Canadians, non-residents. Certainly we have to devote a share of that, but virtually everyone? And why is that? Because David Cooke, the NDP Minister of Housing at the time, removed the residency requirement. So again, we're opening the gates to the world, we're importing poverty with no rationale and no question as to whether or not we can afford it. That's out of the question. They don't care.

**Mr Sutherland:** I can't believe how simplistic this is; simplistic and stereotyping.

**Mr Runciman:** This is something, Mr Speaker. I could say something about the individual interjecting and his economic background, but I will not.

**Mr Bradley:** Go ahead. I want to hear it.

**Mr Runciman:** No, I don't want to.

**Mr Bradley:** He was a king once.

**Mr Runciman:** That's another good point on his résumé, yes.

I wanted to talk about those and I wanted to put a few other quotes on the record that I think are relevant with respect to the economy.

We've talked about the budget tricks of the Treasurer, and I'm sure my colleague from Etobicoke West is going

to get into this. We're having an opposition day next week from the Liberals dealing with this, although I'm not sure how much credibility they have on this issue. We just have to go back to 1990. I recall—what was that guy's name?—Nixon saying we were going to have a \$25-million or \$30-million surplus. Of course, once the books were opened, we had a \$2.5-billion deficit. Clearly, that had to be a significant part of the rationale in terms of calling that provincial election at the three-year period rather than waiting for a four- to five-year mandate. In any event, I'm sure that particular point will be raised again next Tuesday at some point during the debate.

1600

I wanted to just make a comment and quote from Ron Corbett, who's the business editor of the Ottawa Sun, talking about this book juggling by the NDP government. "The entire process of drafting a budget in Ontario now consists of little more than making sure it comes in under \$10 billion." Dead on, and we saw that. The Provincial Auditor has criticized the Treasurer and the government for the juggling that took place in the last budget to try to point to the public and say, "Look, our deficit came in under \$10 billion."

We've talked about the crown corporations act and what they're attempting to do there. They've made contributions to the civil service pension plan but not entered the money on their books. It's going to sell its computer system and then lease it back, which is supposedly going to save it \$500 million, but of course that's the equivalent of going to the pawn shop. It will sell anything it owns for whatever price, as long as the cheque clears before budget day. I quote Mr Corbett:

"The accounting tricks are rampant now. The Ontario government is behaving—there's no discernable difference—like a near-bankrupt trying to doctor its books before a crucial meeting with its banker.

"You can play tricks until the cows come home, but if you're serious about bringing down Ontario's deficit, there is only one honest and reliable way of doing it: Throw this government out."

I wanted to make some references quickly to another element and, again, my colleague the member for Etobicoke West may want to address this. We've heard some rumours in respect to the privatization of elements of Ontario Hydro. We've seen reports in the press this morning where the Premier's considering amendments to the Power Corporation Act. In fact, those amendments would allow the selling off of certain elements, certain arms of the utility. We've heard of course that the hydraulic arm is one of them that is going to be sold off, and perhaps something to deal with the American sales portion of Ontario Hydro.

What's the bottom line here in respect to this privatization by a socialist government of Ontario Hydro? I don't think, if we take a close look at this, that it's probably going to be in the best interests of Ontarians. We understand that if this happens, it's simply to ensure that the government can maintain its bond rating and continue its borrowing levels. What it does is allow this government to avoid coming to grips with the reality of its desperate fiscal situation. It's going to allow it to

continue to borrow at profligate levels and in fact bankrupt this province for future generations.

There's one final quick one that I always like to get in when we're talking about finances. I have a list of examples here—and one of my colleagues will run down these—of government waste. One of my pet peeves is TVO and La Chaîne. I raised this during the Bernie Ostry hearings a year and a half ago. It's costing us, as taxpayers, something like \$35 million a year for the operation of La Chaîne. Virtually no one watches it. We saw the viewing statistics. It's an infinitesimal amount of people watching it in the Franco-Ontarian community.

We can provide the service for both language groups in this province on one network. It'll be financially responsible. We can free up that \$35 million to improve the English arm—the English and French arm, if you will—and use those other millions of dollars for needed services; for example, in policing, where they're looking at closing down small detachments in rural areas of this province. That kind of money could keep those operations going. But what are we doing? Again, we're pouring it down the hole.

I asked the then minister, Karen whatever-her-last-name-is; I forget it—

**Mr Chris Stockwell (Etobicoke West):** Haslam.

**Mr Runciman:** —Haslam, “Why are you doing this?” and she said, “We have to send out the right message to Franco-Ontarians.” Well, Franco-Ontarians are taxpayers, and I think they're going to be reasonable. If we say, “We will provide a level of broadcasting on the one network that will meet your needs,” I think they're going to go along with it. These are tough times. Why do they need that symbolic gesture out there which is costing millions and millions of taxpayers' dollars and accomplishing virtually nothing? Those are the kinds of political sacred cows that we have to come to grips with, and the time is long overdue.

**The Acting Speaker:** Further debate?

**Mr Bradley:** I welcome the opportunity to raise some issues of particularly local interest but with ramifications across the province at this time when we're considering interim supply. One of the benefits of interim supply, of course, is that it allows us to deal with a wide range of issues, and the debate certainly has taken on that air this afternoon.

In my own community, quite obviously the issue which is most important is that of unemployment. In the last survey of the major metropolitan centres of Canada, and that includes St Catharines—I suppose they're looking at places that are in excess of 100,000, or perhaps 50,000 even—we have a 16.6% unemployment rate in the St Catharines-Niagara area. When you take into consideration that this comes before the implementation of the announced closings at General Motors, you begin to recognize the dire straits in which we find ourselves in the Niagara Peninsula in October 1993.

It didn't surprise me that during the recent federal election, the issue which was most important in the minds of the residents of Ontario was obviously that of jobs and the fact that the economy was not moving along quickly,

and some people had made the choice to support the party which was going to address that particular problem above other problems. I really believe that is the case. If I were talking about what my residents are most concerned about on a wide basis, it would be unemployment.

Members of the House will recall that we have had an announcement by General Motors, about two years ago now, or close to two years ago, that the foundry would be closing in St Catharines, with about 2,000 jobs lost, and that there would be some additional jobs lost as one of the lines in the engine plant would be discontinued. In addition to this, there were 750 indefinite layoffs that had been announced, and anyone who knows how plants work and how layoffs work, when you use the word “indefinite,” it usually means it's unlikely those jobs are going to come back. People being laid off never like the news, but when it's a layoff for a specific period of time and the announcement of a recall would be forthcoming, it is easier to accept than when it is labelled an indefinite layoff. In addition to this, subsequent to those announcements it was announced that General Motors would be selling its axle plant on Ontario Street in St Catharines and there was a potential loss of some 800 jobs.

One of the interesting parts of collective bargaining in our province involves the preservation of jobs. The Canadian Auto Workers union obviously saw one of its goals as preserving jobs in this province or perhaps even helping to create new jobs. I was delighted to see that there was a focus of attention in the most recent negotiations on preserving jobs in St Catharines, even though it may be for a three-year period of time. It was announced as a result of the negotiations that over the next three years, the duration of the contract between the Canadian Auto Workers and General Motors, the 800 jobs would be maintained on Ontario Street at the axle plant, that this operation would continue.

That indeed is good news and I think those who are in the leadership of the CAW deserve credit for focusing on that specific issue. Certainly if you were to talk to workers at General Motors, they are very interested in job security. They're very interested in making sure there are as many employment opportunities as possible, not only for themselves but for others in the community and others in their family. So where governments have not been necessarily successful, the Canadian Auto Workers union was successful in maintaining those jobs for some three years.

It will now be our responsibility as members of the Legislature to continue to raise these issues, to persuade the Premier and other senior members of the government and the cabinet to do everything possible to maintain those jobs after that three-year period of time and to replace the jobs that would be lost as a result of the closing of the foundry, if indeed that closing does take place, and certainly all indications are that that would be the case.

1610

There's a good opportunity for General Motors to make further investments in St Catharines. With the area that's available within the foundry building, with other areas that are available within our community, I think



General Motors would find it very viable and very desirable to reinvest in the St Catharines area, because we have a very well-trained, well-motivated workforce in our part of the province, people who are expert in the field.

The company has probably found that some of the other options it has chosen to exercise haven't worked out as well as it would like. In my view, albeit I'm certainly biased in favour of St Catharines and the people who reside there, they would be very wise to make new investments in St Catharines, where we have that well-motivated, well-trained and dedicated workforce, where we have some significant plant operations that are quite modern, and where we have the Canadian Auto Workers recognizing, through the negotiation process, that jobs are very important to the people in our community. All my goods friends in the CAW, from president Ron Davis down through the line, are to be congratulated as taking part in these negotiations and being successful, but I call upon the Ontario government to create that kind of atmosphere, that kind of situation in Ontario where those who have money to invest will in fact put the money in Ontario.

This is going to mean in some cases sacrificing some of the ideology of the party perhaps, and I understand that's difficult. I know there's a press conference that's going to be held tomorrow. I saw a notice of a press conference where my good friend Mel Swart—who, by the way, on Friday will be celebrating his 55th wedding anniversary. Thelma and Mel will be celebrating that, and I offer my congratulations. I see a notice here that says that tomorrow, Friday, October 29, Mel Swart is holding a press conference in the Legislature's media studio at 10 am. He is stating his views on Bob Rae's continuing leadership in the Ontario NDP, and it mentions what his background is.

I'll be very interested in seeing what my good friend Mel Swart has to say about the leadership options for the New Democratic Party, because I know Mel understands extremely well the needs of the Niagara region. He's always had interesting and exciting things to say, even though, as I say, he's been out of the Legislature for some period of time. I've often found myself in agreement with what he's had to say. Not always, but often I've found myself in agreement, so I'll be very interested, as I know everybody in this House will be, in what he has to say.

There are other issues that are confronting us that are extremely important, but unemployment is the most compelling issue. The need to facilitate the creation of jobs in the Niagara region and in Ontario is exceedingly important, and I don't think any of us in this House should ever forget that as we deal with the various issues that come before us.

We have some special needs in the Niagara region as a result of the economic difficulties. One of them has to do with the local office of the Ministry of Labour. Within the allocation which is provided to the Minister of Labour, because I'm not asking him to go out and seek new funds, I would like to see him have additional staff in St Catharines to deal with the special problems that exist there as a result of the high unemployment rate.

We have people who have to wait several months now before their needs are serviced. That's not because the people in the local office don't want to service them; it's just that their case load is extremely large and, as a result, it can be three, four and five months before someone can have a case dealt with by Ministry of Labour officials. I think they're deserving of more expeditious service, because many of them require that in terms of trying to recoup lost wages as a result of shutdowns and dealing with other problems that they have to deal with.

Actually, both labour and management would be pleased to be able to see those matters settled in a more expeditious matter. That's why I think it's important that we have the additional staff there to carry out those responsibilities.

I want to say as well that there are a number of institutions which, within the envelope of money that is provided to the government, could use the funds in the Niagara region. I know my colleagues from the Niagara region would be very much in agreement with that.

We toured the Niagara Peninsula Children's Centre, a few of us who are the MPPs in the area and representatives of those MPPs, and saw once again the genuine need, as they serve now well over 1,000 young people. It's actually marvellous what they do in that particular centre, the education that takes place, the special training that's there, the special services that are provided. In order to carry out that responsibility in the best possible way, they require a redevelopment project to be approved to move forward and they require an expansion of space and perhaps some additional staff.

These are young people, most of them actually pre-school although many of them are going to school at the present time, and what happens is that it allows them to integrate back into the so-called regular school system as quickly as possible. It addresses some of their concerns in the very early stages. I certainly urge the government to move very quickly to give the final approvals to the move ahead with this project. The side benefit, which is not inconsiderable in our area, of course is providing jobs through the construction that would take place in that particular initiative.

I notice as well that I have received a letter from the Niagara District Health Council, a copy of a letter to Ms Jean Simpson, the mental health facilities branch, Ministry of Health, and this is concerning funding for the CMHA, St Catharines and district. That's the Canadian Mental Health Association, which is the only community-based mental health day program serving the six northern municipalities in the region of Niagara.

These municipalities have a total referral population of 200,000. What they are in essence saying in here is that there's a need for funding. This is one of the few Canadian Mental Health Association district branches or local branches which is not funded by the provincial government. Recently, the United Way has found that it is unable to provide the kind of funding it would like to this association.

I met with Dr Megan Ward, the medical officer of health in the Niagara region, as I know all members will

have the opportunity to, to discuss what the concerns of her organization might be, and I have met, along with my colleagues in the Niagara region, with the Niagara District Health Council.

One of the areas where we see a genuine problem existing, a need existing, is in services in terms of mental health. I could go into some considerable detail on that, but I'm sure the ministry officials, and the minister ultimately, would be aware of the problems that exist. I hope that they will give favourable consideration to the representations made by the Niagara District Health Council in this regard.

I notice as well that some people are being hit by the new government policy of not covering certain drugs. Everyone recognizes that the drug benefit program is extremely costly. I think everybody recognizes that. There's a study that took place that identified some of the problems and hopefully some of the solutions. What has happened is that some of the drugs which have been delisted, not all, are exceedingly important to those who used to receive them. It's unbelievable what some people have to pay for drugs on an ongoing basis.

I notice that I had some calls from people who were worried about cystic fibrosis and certain prescription drugs which were available to those people that either are going to be withdrawn or have been withdrawn from the list, and that can be a problem.

There's another service that's withdrawn. I think it's for people with birthmarks, that they could have those removed.

**Mr Ted Arnott (Wellington):** Port wine stains.

**Mr Bradley:** It is called "port wine stains," I am told. That's being withdrawn. I think most people would say, in this day and age with the way that money is, that non-essential cosmetic surgery perhaps shouldn't be covered. But I don't think most people would consider this to be non-essential cosmetic surgery or a cosmetic process. I think in this case it's important that the government reconsider that kind of decision.

I hope they will look at all the drugs that have been withdrawn. Many seniors now find it very difficult to meet those costs. I'm hopeful that the government will review that matter and determine what is essential, what is needed, and if it's going to be eliminating those services, only those which are not absolutely necessary should be removed from that particular list.

1620

Family and Children's Services Niagara wrote a letter, I presume to all of the members in the area. The letter was written to me in this case and it's from Ms E. Mae Denby, president of the board of directors of the Family and Children's Services Niagara. She says as follows on behalf of the board:

"On July 30, 1993, we forwarded to you a copy of correspondence to the Minister of Community and Social Services regarding the proposed expenditure control plan. The belief that special allowances and parental contributions would be new revenue, recoverable with little consequence from children's aid societies, is seriously flawed and reflects a lack of understanding of the realities

of these agencies and how we function.

"As we attempt to fulfil our responsibilities in the region for providing protection of children and caring for those who require our care, we are facing large increases in the number of people requiring our service and children requiring our care. Special allowances, which have traditionally flowed to the agency when the children come into care, have enabled us to provide an appropriate level of service to our clientele. The proposed clawback of this funding and the resultant reduction in our resources while the numbers of children requiring our services is rising dramatically would prove disastrous.

"We ask for your support and action in this matter. Any opportunities you may have to share these concerns with the minister's office on our behalf and on behalf of all children's aid societies would be appreciated. We must not allow this province's responsibility for its children to be set aside in this manner."

I agree with this. I notice that my colleague Charles Beer, who used to be the Minister of Community and Social Services in the previous government, now a critic in the field of Education, and Yvonne O'Neill, the member for Ottawa-Rideau, who is our critic in the field of Community and Social Services, spokesperson for the Liberal Party, have both certainly made representations in regard to the children's aid societies. I hope there will be a consideration on the part of the government of this matter.

I hope that renovations to the renal dialysis unit at the Hotel Dieu Hospital can take place in the fastest possible fashion so the dialysis unit which services so many people throughout the Niagara region will be able to provide a much more appropriate and superior service to that which is available because of the crowded facilities which exist at the present time.

I also raised in the House this afternoon, and this affects many, many ridings—the member for Wellington also made a statement in the House on this matter—the dispute going on between the Ontario Minor Hockey Association and the Canadian Amateur Hockey Association. It's just disconcerting to watch that the children are the ones who are most affected by this.

In fact it is extremely difficult for those children to function as they have in the past. What we have is a situation where they're not allowed to go to various tournaments because they have been labelled as not being part of the CAHA. I know some members of this House are in this circumstance, where they've either had to take their children out of hockey or they've had to travel with them at all hours into the evening. I've heard of people travelling from Windsor to St Catharines, for instance, to play games. This is in regular season. This isn't playoffs. This is as a result of a dispute that's taking place.

Jack White, the president of the Ontario Minor Hockey Association, on behalf of his organization has expressed a willingness to submit to conciliation and arbitration, and the offices of the Minister of Culture, Tourism and Recreation have been offered in this regard. It is my understanding, however, that Judge Watt, representing an opposing organization within Ontario, has not yet met with the minister.



Judges perhaps see themselves as above cabinet ministers in terms of rank and perhaps it's moving down a step to meet with a cabinet minister. I don't know what the problem is. Certainly the Minister of Culture, Tourism and Recreation, as I know her, is a very pleasant person to deal with, a person of conciliation, and I think he would be wise to sit down with her and her officials.

I hope this can be resolved soon, because money for development of hockey players is being taken away and the opportunity to hold tournaments within our various communities is limited as well by the action of the Canadian Amateur Hockey Association. I know many people in our area, in the Niagara region, are concerned about this.

I look at several other issues that I could deal with. The critic in the field of Finance, Mr Phillips from Scarborough-Agincourt, is going to deal with a number of matters on a more general basis, but I know there are many issues that are affecting our region in terms of cuts that have taken place.

I know that Niagara College, for instance, says: "If you want to create some jobs, we've got a way of creating them. We need a new facility." I think the province agrees, I think the Council of Regents agrees, that it would be desirable to have a new facility for Niagara College, and they're all set to go.

I'm sure the president, John Saso, and others at the college would like to have the green light from the province. That would not only provide a good college for people to attend, and that's necessary, but it would create jobs at the very time we most need to create jobs in this province, so I make that recommendation to those who are responsible in this area.

I also want to discuss very briefly, although I would like to go on at some length if I had the time, the situation with the Niagara River. The Niagara River at one time was a high-profile issue, but as with all environmental issues, it has been shoved into the background today. The toxins continue to flow into the river—

**Mr Sutherland:** I thought that was because you did a good job.

**Mr Bradley:** Well, I know Radio Noon doesn't do its stories on the environment any more. I was talking to an environmentalist a couple of days ago who said, "You know, the problems are as acute as ever and as chronic as ever." So they're both acute and chronic along the Niagara River, but we don't seem to be able to get any attention directed to that issue.

The recent meeting of the IJC, International Joint Commission, has been helpful in refocusing on the Great Lakes, but my fear is in fact that people have forgotten about the Niagara River, where we have toxins still escaping, albeit slowly, into the Niagara River, contaminating that waterway and ultimately contaminating Lake Ontario.

I think it's our responsibility as legislators and the responsibility of the Ontario government to ensure that the provisions of the agreement signed in 1987 are provisions which are implemented to the letter and that we don't simply have a document that looks nice, that

has my signature on it and Tom McMillan's signature on it and the people responsible for New York state and the Environmental Protection Agency in the United States. It's important that besides the document we have implementation of the provisions of that particular document to ensure that we have a cleanup of the Niagara River.

I notice as well that there are other areas in the Niagara region that could use some help. One of the attractions I found with Mr Chrétien's campaign was his emphasis on infrastructure renewal. I guess the reason is that I've always been a proponent of infrastructure renewal. I've urged our provincial government to proceed with that, and they have simply hid behind the fact that, "There's no federal money, so we're not going to be moving forward."

**Mr Sutherland:** Oh, come on, Jim. You know we've been doing lots that way.

**Mr Bradley:** The king of Oxford speaks on the far side, and I listen to him making representations. I'm glad he's on board now, but I'm encouraged by the fact, as I know members of the government are encouraged by the fact, that the new federal government at least has given a commitment to proceed with infrastructure renewal projects, because in the Niagara region, the member for Welland-Thorold and I would like to be able to cut the ribbon again at some expansion of sewage treatment plants or water treatment plants, the enhancement of those kinds of facilities. They do wonders for an area.

They do three things: First of all, they meet an environmental need; second, they create much-needed jobs; third, they provide the Niagara region or Ontario with a basis to go to companies to say: "Here's the infrastructure we have. We have all the facilities you need to invest in this province and we're going to now advise that you invest in this province."

By utilizing that money, we meet those three different goals, and I can't for the life of me figure out why this has not happened in the past, that people wouldn't see the wisdom of that. It's not simply getting a shovel and shovelling coins into a hole. That's symbolic. That's not what was happening at all.

The member who sits in the chair, the member for S-D-G & East Grenville, as he always points out to me, is a person who has a lot of those projects that are in need of funding. When I was Environment minister it seemed we were doing a lot of work in that area at all times, and he was supportive of those, so I know he would be eager to see the province move forward on those projects, with federal help and with municipal input.

1630

I promised the Liberal critic, the spokesperson in the field of Finance, that I would yield some considerable time to him for the purpose of dealing with interim supply, so I shouldn't go on too much longer except to say in a general sense, and perhaps a parochial sense but certainly a general sense, that I hope the province will focus its attention on the Niagara Peninsula and the need for jobs in the Niagara Peninsula.

We have been part of the Golden Horseshoe, or labelled part of it, but our end of the horseshoe has been

tarnished many years by chronic unemployment. That's accelerated in recent years and it's going to accelerate again unless senior levels of government, federal and provincial, are prepared to provide the necessary assistance and the necessary climate for investment. I urge this government to join with others in providing that particular opportunity for those of us in the Niagara region.

I thank you, Mr Speaker, for the opportunity to address the House today, albeit rather briefly, and I look forward to the comments of my colleague the member for Scarborough-Agincourt.

**The Acting Speaker:** I thank the honourable member for his participation. Further debate?

**Mr David Turnbull (York Mills):** In rising today, I would just comment on the fact that I had spoken on interim supply on June 24, 1993, and I just reiterate some of the things that I said then, and will say that was then and this is now.

**Mr Murray J. Elston (Bruce):** It was a good speech in June, but try a new one today.

**Mr Turnbull:** It's not shop-soiled, I assure you.

At that time, I spoke in some detail about the fact that this provincial government was hiding debt and was trying to suggest in its budget of 1993 that the deficit was \$9.2 billion. I suggested that this number was completely erroneous and pointed to the fact that in the very tiny print at the bottom of the page, with a double asterisk, it mentioned, "Capital expenditure and debt adjusted to reflect new capital financing arrangements by \$0.8 billion in 1993-94, \$1.2 billion in 1994-95."

It's interesting that the Treasurer, though he's now called the Minister of Finance, kept on speaking in this budget document about a deficit of \$9.2 billion. We kept on saying that is not the true deficit. It is just simply not true.

We only had two days of debate on the budget, which is quite extraordinary because the tradition in this House is to have approximately 10 to 15 days of debate on the budget, and it is the tradition to have at least five or six days of debate contiguous with the dropping of the budget. But, instead, we had one day of debate in which the two opposition leaders spoke to the budget. They brought it in on a Wednesday. The opposition leaders—the leader of the official opposition and Mr Harris, the leader of our party—spoke briefly on the Thursday, and then the next week was constituency week. I don't think that was a coincidence, that the government brought it in with that kind of timing.

When we got back after constituency week, we had spoken in great detail to many of the affected groups such as unions, chambers of commerce, business people and those people on the street who were affected by the largest tax grab in provincial history. I'll repeat that just so that message sinks in: We had the largest tax grab in provincial history. Notwithstanding that, we had two days of debate which were separated by one week. It threw out all the tradition this House has of having several days of contiguous debate. Bear in mind that the only two types of debate which are considered to be a motion of non-confidence, unless the government sees fit, are the budget

and the throne speech. So I would suggest that the democratic tradition of this province is being rapidly eroded by this government bringing in the largest tax grab in provincial history and then proceeding to cut off debate, and we haven't had a chance to vote on the budget.

That's a very serious accusation which is quite separate from the seriousness of the financial mess that this government has got us in or the fact that it was the largest tax grab in history. It is an attack on our democratic rights as opposition members to be able to express a contrary view to that which the government has expressed.

Also in that same debate—when I'm referring to debate, I'm talking about the debate on interim supply in June—I pointed out that the Conservatives had brought forward a 15-point set of recommendations in our pre-budget consultation with the government. None of those recommendations were acknowledged by the government or acted upon, and although I will admit that we have a certain view of the world which is not shared by my friends across the floor, we believe the government would be in better shape if they had taken notice of those. They ignored those 15 points, and they also denied the opposition members the ability to put on the record those comments that had been made by citizens across the province, as expressed after the budget, by cutting off debate. That is a very serious accusation and could be the subject of a debate for many hours in this House.

But I want to get some other points on the record. The borrowing by this government is getting us into a position where we're losing any options which any future government will be able to exercise because we will be in such a serious debt hole. Returning to the budget document itself, I will remind the members across the floor and anybody who might be watching this program, reading from the government's own budget document from May of this year, that there's the statement, "Excluding sovereign countries, Ontario has become the largest borrower in the world. On average we borrow more than \$1 billion a month. We spend more on interest costs than we spend on our schools." About one third of our new borrowing comes from outside Canada.

Turning to that borrowing outside Canada, there was an article in the newspaper recently which put Ontario in fourth position in the world in ranking of borrowers. In other words, by total amounts of money borrowed, we were the fourth-largest borrower in the world. The only entities in the world that borrowed more than Ontario were the European Investment Bank, and we know how badly managed that was by Mr Attali; the kingdom of Sweden, which had squandered its wealth through years of socialist rule; and the World Bank, which lends money to all countries of the world that are in need of money.

**Mr Bradley:** On a point of order, Mr Speaker: The microphone wasn't coming through, and I just wanted to know if the member for York Mills had reported the theft that took place this morning in the private members' hour involving his bill that he had put before the House.

**The Acting Speaker:** It's not a point of order.

**Mr Turnbull:** It's certainly a very interesting point



where the government had managed to engineer taking over one of my private member's bills as one of its own private member's bills. I don't think that will be forgotten in the history of the infamy of this province, but let's put that aside.

1640

I want to turn to the comments which were made by the Provincial Auditor. When I rose to speak to interim supply in June, I quoted the fact that all this money borrowing was being hidden, the borrowing on the capital corporations and the borrowing for schools: some \$600 million which was going to be raised by way of loans that the school boards would raise and the government would then give them money to service that debt. A very unusual turn of events because we have always, in this province and, to the best of my knowledge, in Canada in the other provinces, operated on the basis that grants would be handed down from the provincial level to school boards in order that they could pay their bills. But the government has come so precipitously close to the edge of the debt abyss that it has now recognized that it may not be able to borrow any more, so what it's doing is getting the school boards to borrow the money and it's saying, "We will give you the money to service it"—\$600 million this year.

As well as that, they are taking off-book some \$805 million into the capital corporations. I commented on this in interim supply, and it seemed to me that there was a lot of abuse hurled across the floor from the government benches at that time suggesting there was nothing wrong with that. Well, this is what the auditor has subsequently said about that particular effort, and I read from a report of the standing committee on general government, the Hansard of August 17 of this year. The Provincial Auditor, appearing before that committee, said:

"My office was not invited to advise on this legislation and we followed the process of drafting Bill 17"—which, for your benefit, you will recall, Mr Speaker, is the legislation which sets up the capital corporations—"through snippets of information which the ministry staff were willing to share with us. We are grateful for that. Through that occasional glimpse, we saw accountability clauses appearing and disappearing in the draft legislation without being able to provide input or without finding out why these clauses were disappearing. This kind of spectatorship became somewhat uncomfortable when memoranda of understanding were offered as the main accountability mechanism to govern these corporations without finding the necessary support in the legislation for those memoranda of understanding."

He goes on at a later stage to say, "I'm mindful that ministry staff have expressed similar concerns about the need for embedding accountability in legislation rather than using only memoranda of understanding." He further goes on to quote from a study, "A legislative mechanism is needed, establishing the requirements to submit annual corporate operating and capital budgets, an annual corporate plan and payment of surpluses, if any, to the government."

"The accountability rules should be strengthened to provide a financial position statement which combines the

consolidated revenue funds and these corporations, and indeed all other government-owned corporations, so that the public has a picture of the overall financial position of the province."

That is key to this: "the overall financial position of the province."

We now have a situation that this government, by its own admission, is some \$1 billion in expenditures over its plan for this year. As well as that, the Workers' Compensation Board is spinning out of control: The debt is probably in excess of \$12 billion worth of unfunded liability, which is not reflected in the books. The government is removing some \$805 million to take off-book to the capital corporations and it is not adequately accounting for it. The auditor says that very clearly.

I will go on from the auditor's comments: "A second and most important feature is that there should be a provision that loans are only set up as assets if they are repaid from revenues and not from future grants, because if it is the grant route, it is just sticking money from one pocket into the other, and that does not represent an asset of the government."

That is, in accountant's terms, a very stinging attack on the credibility of the accounts of this government.

The newspapers weren't quite as measured as the auditor was. I'm quoting from a newspaper article of October 15, "The Ontario auditor has slammed Finance minister Floyd Laughren's accounting and for the first time in Ontario's history refused to approve the government's financial books." That is one of the most serious issues that you could possibly have. We have a government that is fiddling the books. The international lenders are recognizing that, but the electorate is not seeing the true information. There never was any chance of a \$9.2-billion deficit this year. It was already over \$10 billion before we started the fiscal year because they had taken the combined \$600 million and \$805 million off-book and thereby tried to fool some of the people, which they say you can do some of the time.

The combination of that money which was taken off-book, the admitted \$1 billion that we're over in the deficit this year, the \$10 billion of unfunded liability at the Workers' Compensation Board, the some \$36 billion of liability that Ontario Hydro has, combined with the province's own admitted debt, takes us well over \$100 billion, which is a sobering thought for anybody who wants to get their calculator out and see how much we as citizens owe, and I think everybody who does that little exercise will have a shock.

Mr Peter Cook, writing in the *Globe and Mail* on October 18, was talking about debt and deficits, and I'll just read a small extract. The title of his article is "Whistling in the Dark on Deficits." It reads:

"From the latest issue of *Euromoney* we learn a lot about where Canadian governance stands relative to that of other lands. The magazine has a list of what it calls 'the world's best credits' of the past year, which is finance-speak for the guys that are mortgaging the future fastest.

"Among the great borrowers of the world, the province

of Ontario is in fourth place overall. Ahead of it are the European Investment Bank, the kingdom of Sweden and the World Bank. Behind it, the governments of Finland, Britain and Italy. In fiscal 1992-93, Ontario went to global bond markets for \$8.6 billion (US)."

I don't believe for one minute that some of the things that this government has done it likes doing and I don't believe it would have done them if it had any choice. I think the fact that the civil service or the broader public sector was cut back, including MPPs' pay, by on average 5% was probably the right thing to do. I don't think the way the government went about it was the right way. It has caused an awful lot of strife, but that's strife that your party has to worry about.

The fact is, the government is being told, but is not bringing to this House the information, that you've run out of options. We have not got a revenue problem in this province, and I've said this over and over again; we have a spending problem, because last year the revenues of this province were the second-highest in history.

1650

The only other time the province has enjoyed revenue as high as last year and slightly higher was in the last year that the last government was in power. They'd shoved all kinds of little tricks, like preflow and things like that, underneath the carpet to make their books look good. Your government, the government of today, the NDP, inherited those problems because when it got there—we'd been told in the election that we had a surplus and when you got there the cupboard was bare; there was a significant deficit.

I offered, during debate to interim supply in June, some suggestions as to how we should all come together and address this, that we should never allow any government of any political stripe this amount of latitude. I suggested that we should in fact have a controller general who would consider expenditures of the government before they were made and cost them out so that at least there would be some public accountability.

If I could express an opinion, it would be that the controller general should enjoy a great deal of freedom and should be jointly appointed by the advice of the three leaders of this province: the Premier, the leader of the official opposition party and the leader of the third party. If you did that, you would take politics out of the appointment and not weight it towards one person or the other.

The various political parties really shouldn't have a difficulty with it, because they are going to have to live with that person afterwards, so you don't get anybody who is leaning towards any party. But we have to get accountability into the system. We need to change the way all governments in Canada account for expenditures. That has been said many times but we haven't got there. The first step would be to get a controller general.

We should, as I mentioned at the time of interim supply, have an econometric model of the Ontario economy, because that would allow both the government and the opposition parties to model any fiscal changes they were going to make before they were made, so we

wouldn't get in the mess we're in now.

I suspect that if the present government could quietly unwind some of the issues it inherited from the last government it would. Some of their actions bore down on this government very negatively and didn't give you the flexibility you thought you would have. I suspect, judging by the way you have spent, that it's probably just as well. Nevertheless, we would have the opportunity for people who were not involved in politics to be able to get an objective judgement as to what the impact of any move by a government would be in real terms, in terms of what extra taxes would have to be raised. Then I think you would have an outcry from the public.

Because the government has the numbers, it undoubtedly will be able to pass interim supply, which allows the government to keep on paying its employees, but it will also allow it to borrow and continue to borrow, and that is the most serious aspect of it. That is what I've tried to bring to bear in this debate.

I may have touched on the parties and told you what you were doing wrong. Nevertheless, I have brought constructive ways in which you could start to improve the system in a non-partisan way and I think that is what the public are asking for. I hope the government will take some notice of what I'm saying, because it's urgently overdue. We have lost our ability to do anything else.

**The Acting Speaker (Ms Margaret H. Harrington):** Are there other participants in this debate?

**Mr Stockwell:** I'm here to discuss Mr Laughren's resolution "That the Minister of Finance be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing November 1, 1993, and ending December 31, 1993, such payments to be charged to the proper appropriation following the voting of supply."

It's rather interesting that today the Treasurer of Ontario or the Finance minister, whatever they call him these days, would ask this House to vote on a supply motion to go out and pay bills, borrow money etc. Why is that interesting? Well, you're asking me to support a motion that allows you to go and borrow and spend money. But at the same time—

**Mr George Mammoliti (Yorkview):** Same speech.

**Mr Stockwell:** No, it's a different speech, I say to the member for Yorkview. It's different because—

**Mr Elston:** I think he wants to borrow it.

**Mr Stockwell:** Yes, he wants to borrow it. It's different because the auditor won't sign off on your books. You're asking me to go ahead and approve spending money, approve you to spend money, borrow money, and you can't get the auditor to sign off on your books. You also can't tell us what your deficit is. You've no idea what the spending levels are going to be. Your revenue statements in the budget are farcical. Yet you're asking me and this Legislature to go ahead and allow you to go out and borrow and spend more money.

You can't even answer the most basic, fundamental questions that I and the taxpayers have, such as: What is the situation as far as the books are concerned now? What are your spending levels? What are your revenue



levels? Certainly you can understand, when asking me to support a revenue motion, a supply motion, that those are rather simple questions that people would ask.

If you were a private corporation and you were going before them for an annual report, and the shareholders were sitting in public out there before you, they'd be asking questions like consolidated debt, revenues, profitability. You can't answer the most simple questions, and the simplest question you can't answer is, why will the auditor not sign off on your books?

**Mr Bradley:** Did Radio Noon call you on this?

**Mr Stockwell:** No, I never got a call from any of the CBC affiliates on this question, and it's too bad, because of all the things we debate in this House, this is really important.

This is a lot of money that's being spent and a lot of questions that need to be answered, and you can't even answer the simplest one, which is why the Provincial Auditor, a bureaucrat, will not sign off on your books. The taxpayers have got a lot of questions that should be asked that you can't answer.

That concerns me and it concerns a lot of people. It concerns the lenders, but they're far more sophisticated than your typical taxpayers, because they've got a raft of people who go through your budgets and measure your expenditures and your off-book debt reductions and your movements of money here and there. They understand where you are, and that's why you're on credit alert. That's why your deficit's ballooning and so on.

The average taxpayer doesn't have that raft of people to go through the books and find out you're fudging them. That really bothers me. We have a gaggle of 70 over there who are fudging the books and coming before the public today and saying: "Yes, we're fudging the books. The auditor won't sign off on them. But come on, give us some more money, because we've got to spend some more." That really bugs me, and it should bug the taxpayer. I think it does.

We're into a situation now where we get a lot of deficit speeches and debt speeches and so on and so forth. The curious thing about this is, we talk about deficits and the taxpayer out there says, "Okay, the deficit this year is \$10 billion, \$12 billion, \$13 billion, \$14 billion," whatever number you made up, but nobody has addressed the debt issue.

We talk about deficits and how we're going to retire the deficits. Even on that glorious, wonderful day when another government is in there and it is retiring the deficits, we still won't have dealt with one penny of the debt. Even if we get to the situation of balancing our budgets, we still have \$100 billion in debt we've got to pay off. You're going to have to create surpluses over the years to start retiring the debt that you've accumulated, which you've doubled in four short years, astounding as that may seem.

So what does that mean? That means that governments such as this—what do they call themselves, democratic socialists or social democrats? I forget.

**Mr Turnbull:** Just socialists.

**Mr Stockwell:** Socialists. This means that govern-

ments like you end up having to put bone marrow transplants on hold. This means that you've got to apply user fees for children in certain programs and so on, where they can't afford it. This means that you end up not being able to open police stations. This means that you have to talk about user fees in the health care system. This means that you've got to do a bunch of things that you don't like doing because you were so completely irresponsible in the budgeting process in this province in the first year or two that you took power.

1700

So we have a bunch of people standing up and debating what kind of trouble we are in: what kind of deficit trouble we are in and what kind of debt trouble we are in. We're in such debt trouble that we have the Minister of Community and Social Services standing up and talking about parental contributions. Have you ever heard anything so silly in your life? It's the most absurd thing I've ever seen, a grown man standing before the public talking about parental contributions. He simply changed the name from a user fee and says it's legitimate. It's embarrassing to watch, for heaven's sake. It's embarrassing to watch a man say "parental contributions" when he really means user fees for the most disadvantaged group of people in our communities, children, and a socialist standing talking about parental contributions. It's enough to make you cry to watch that take place.

**Interjection:** It's enough to make you sick.

**Mr Stockwell:** It's enough to make you sick. It's beyond sick, though.

One day the Premier stands up and guarantees absolute access to bone marrow transplants, case closed, without debate, and we have the embarrassment of the Health minister walking out the same day in that hall and telling the press the Premier couldn't possibly know what he's talking about because that's not the case. That's embarrassing. That's just bloody embarrassing. These people are singing from two different song sheets. As I said before, the left hand doesn't know what the other left hand is doing. It's just embarrassing.

We have a government that takes responsibility for nothing, absolutely nothing. We talk about any issue and they're going to process it to death. Everything's a process. "A bone marrow transplant is now in the hospital's responsibility—I wash my hands of it—as part of the social contract." Unbelievable a minister could do that.

On landfill sites, the superdumps surrounding Metropolitan Toronto, they formed the IWA. "I wash my hands of it. I want nothing to do with it. The IWA is separate from the state."

I've got a Solicitor General, where someone got put out on parole with 16 or 17 warrants outstanding in Alberta: "Oh, we're processing it and I can't talk about it. I wash my hands of it. I want nothing to do with it."

What the hell did these people get elected for? If they didn't want anything to do with these types of issues, why did they get elected?

**The Acting Speaker:** I find that offensive. I would ask the member to control the type of language he is

using because I would like to be able to listen. Thank you.

**Mr Turnbull:** You're offensive as a government.

**Mr Gordon Mills (Durham East):** Oh, get away. You are the ones who are offensive. Don't tell me I'm offensive.

**Mr Stockwell:** I apologize for saying, "What the hell did they get elected for?"

**The Acting Speaker:** The member for Durham East, please come to order.

**Mr Mills:** Madam Speaker, I don't think I like to be told that I'm offensive.

**The Acting Speaker:** Please take your seats.

**Mr Stockwell:** I apologize, Madam Speaker. I said "What the hell did they get elected for?" I'll rephrase that. What the heck did they get elected for?

I say that because they don't want to take responsibility for anything. They absolutely do not want to take responsibility for absolutely anything. If there's any contentious issue that is being dealt with in this Legislature, they simply form a committee, and it's just nauseating listening to them. They form subtable, bipartite, round table, discussionary tables on anything, absolutely anything. Everybody's got a round table or a square table or a subtable or a hexagonal table. "You can't get an answer about it? Well, do you want to eat lunch? Let's form a subcommittee of the round table to decide." It's just making me so upset. They won't make a decision on anything.

They've got landfill sites. People's lives have been put on hold, for heaven's sake, because of landfill sites, and you ask them a question in the House and they stand up and say: "We formed the IWA committee, made up of responsible citizens. They're responsible and they make the decisions, and we don't do anything about it. Whatever they decide is going to decide, and don't ask me because I have nothing to do with it."

**Mr Perruzza:** What would you do?

**Mr Stockwell:** What would I do, the member for Downsview said. I would have made a decision. I would have taken these people and I would have sat them down and I would have said to them, "We've got a decision to make, and it's an important decision." I would have measured the options and would have looked at all the agreements in place and I would have made a decision. Instead, you've put people's lives on hold for three years.

**Mr Mammoliti:** Calm down.

**Mr Stockwell:** The member says, "Calm down." I can't. It's getting so frustrating, I can't. People phone me and say, "When are they going to decide on this dump?" I tell them: "I don't know. They won't answer any questions." They say, "Who's going to decide on the dump?" I say, "When we ask them, they say, 'Somebody will decide on it, but not us.'" They talk about waiting lists at cancer treatment places: "Can you ask the government what they're going to do about it?" "No, I can't. They said it's up to the hospitals now. They have nothing to do with it."

**Mr Sutherland:** That's not the case.

**Mr Stockwell:** The member for Oxford said it's not the case. I sat here and heard the Premier say one thing and I heard the Minister of Health say something completely contradictory in the hall not 20 minutes later.

You talk to the Solicitor General about somebody who's got 16 outstanding warrants who was released on parole: "I'm studying it. We've got a committee." That's just not acceptable, because in the meantime, while he's studying it, 300 more cases are being heard by the same parole board. You can't get a decision.

You know why you can't get a decision? In the first few months, maybe a year, of this government, it made some decisions and they were awful: unbelievably backward, silly, incredibly dumb decisions. What it's come to today, and we talk about interim supply, is that they don't want to make any more decisions, so they form the subtable on the round table of the external table of forces unbeknownst to us in committee. That's what this government has come to: a complete state of neutral. These people would have to speed up to stop when it comes to most issues. That's how bad it's gotten.

And you know what's happening while it's this bad? The only thing they're prepared to do, the only thing they're capable of doing or making a decision on, is that they will decide to go out and borrow more money to maintain this level of mayhem, of bedlam. That's all they'll do.

Yesterday, listening to the news, there's more layoffs: UPS is laying off and Dofasco is laying off. You've got the Premier standing up this week or last, saying, "Now that we're a year into the recovery...." Now that we're a year into the recovery? What world is this man living in? Unemployment rates never higher, layoff announcements every week, decisions that can't be made, money being borrowed, parental contributions by the Community and Social Services minister, and we're a year into the recovery? If it gets any better, I'm going to kill myself. That's what the people are saying out there: "I can't stand the prosperity."

And you sit here and you talk about a supply bill they're asking us to approve, and they can't get the auditor to admit that their books are truthful and upfront.

Why am I frustrated, sitting here day after day after day? I look at the health care system. The health care system is crumbling before our very eyes. You know why? I blame the Liberals, who did a great deal about this. There was one decision that has created the mayhem and havoc in the health care system. That was the employer health tax. Under the old OHIP plan, everybody had to pay a premium and it controlled itself, because when people have to pay a premium, you can keep track of them. Under this system, nobody knows who the employer is paying for. You don't know. You know an employer is paying  $x$  amount of money, but you don't know who he's paying it for. So it's absolutely ripe to be ripped off, and it is being ripped off. You can blame the Tories for a lot of things in their 43 years, but you can't blame them for this OHIP mess. This mess can be directly related back to the removal of premiums and to the employer health tax.



Social services: This social service system is rivalling WCB as far as the black hole is concerned. This system absolutely stinks; it reeks; it is built to be ripped off. They don't get it, they don't understand; they start talking about the programs and policies and committees they're putting in place to fix the system. The system's broken, and I'll tell you why the system's broken; anyone could tell you why the system's broken.

1710

Go to any site office, I say to the few members across the floor, any site office of the social service system to collect welfare. You want to know why the system's broken? Because you don't need some things to collect welfare.

First, you don't need a permanent address. What does that mean? I live under the bridge on Bloor Street; I can collect in Metro. I live over here in Peel; I can collect in Peel. I live in the park in Durham; I can collect in Durham. That's it, it's that simple: You don't need a permanent address.

Well, if you don't need a permanent address, what's the next one to go? No home visits. Even if you wanted to go visit these people, you wouldn't know where to go. They have no permanent address.

Then the next one is, just to finish off this beautiful idea concocted by the NDP and Liberals, what was the next thing you decided to do? Direct deposit. There's the beauty of all time. You don't need a permanent address, you won't get any home visits, and you know something? Don't even bother coming down once a month to pick up your cheque. We'll put it right in your bank account.

Figure it out. You don't need to be a rocket scientist to figure out how you're going to rip this system off. You go to many regions within Toronto—and there's a lot of them within driving distance—and you file in every one of them. You use your same name, or even a different name, for heaven's sake; IDs are not hard to get. You don't have to tell them where you live. They're never going to come up and check on you and you never have to see them again, because you just give them your bank account number and they put the money right in.

This is nuts; this is just nuts. We're all sitting around here saying to each other: "How are we going to fix this problem? Boy, this is a big problem." How you're going to fix it, number one, is figure out who you're giving the money to. If they claim to be citizens of Ontario, here's a real good idea: Get their address. Pretty good, eh? You've got to be a real snoop to do that; you've got to be a private investigator to figure that one out. Then, when you've got their address and their name, you go visit them. We figured this one out. I don't think anyone could have thought of that, of the 90,000 bureaucrats who work for the NDP, but that seems pretty simple.

How are you going to fix the health care system? It astounds me that we talk about photo identification. I don't know how many people are in the health care system in Ontario, but they all get a card, and you're telling me that we've got to put your picture on the card to keep track of the system. It amazes me. There are companies out there that—let me give you an example of

one. How about Visa? Visa gives you a card and you sign it and they let you spend as much money as you're capped to, as much as you want. If you want to spend \$5,000 in a week you can do it, and you don't have your picture on that. And they do it right around the world; we're just in Ontario, but we've got to put somebody's picture on it and then it still won't work.

So we sit around here today and we talk about interim supply for my friend, and I say "my friend." I like the Treasurer of Ontario or the Minister of Finance, whatever they're calling him today. He wants more money to go out and spend on crazy, harebrained programs that pop up every couple of weeks across the floor. But God forbid you'd ever ask them to make a decision, because the simple fact of government today with this government is that if you ever asked them to make a decision, you would be bombarded with paperwork and committees that would boggle your mind.

But that's not it. I know this is somewhat unfair, but you can go through the list, the "What's a Billion?" list we put out a little while ago, and look at all the goofy programs they did and the way they spent money, and this is what they're asking us to borrow for. It is unfair, because there are a lot of bureaucrats out there and there are a lot of programs and I'm sure you can't have your hand on every one of them, but going through this list is the scariest thing you can imagine.

Here's another program. The landfill issue: \$25 million to find out if there's a landfill site in Metropolitan Toronto when the people in Kirkland Lake are begging for your garbage.

What's going on? Let's get this straight. The people in Kirkland Lake want the garbage, to produce the jobs to recycle with. The people in Peel, York and Durham don't want the garbage; they'd like to send it to Kirkland Lake. So what does this government do? It strikes a committee that's going to spend \$25 million, \$30 million or \$40 million to convince the people in Peel and Durham and York that they really do want the garbage, and they'll convince the people of Kirkland Lake that they really don't want the garbage. Have you heard anything sillier in your life?

Settlement packages: Remember those decisions I told you they made in the first few years: 6% increases in salaries, 11% to senior managers? The other one that really gets to me is this Jobs Ontario fund. I don't care; they can stand there all they want and claim that this is a success. Of the people I've heard from about Jobs Ontario, it's been nothing but a colossal failure, and it has cost us hundreds of millions of dollars to implement this program. But we've got to go borrow some more money to keep it going to educate people for jobs that don't exist. That's just so silly.

One thing this government did do when it came into power, which I thought was really silly, was it decided to spend \$700 million in capital works programs to jump-start the economy. Well, even the hardest socialists today would have to admit that your \$700 million jump-start of the economy was not a roaring success, because the economy just wasn't jump-started.

I read in the paper yesterday where Floyd Laughren

and Bob Rae are salivating for Jean Chrétien to get in so he can start his jump-start of the economy, and they want to go out and borrow a couple of billion more dollars to put together with the federal money and jump-start the economy. You'd think they would have learned the first time, but they didn't. They want to go borrow some more money to put with the Liberals so we can jump-start this economy again.

Eventually, you're going to have to figure out your battery's dead and you're going to have to go out and buy yourself a new one.

**Mr Mills:** What happened to Kim and her plan?

**Mr Stockwell:** What happened to Kim and her plan? What happened to Kim and her plan is they got absolutely thumped, much like the NDP. They got absolutely thumped.

*Interjections.*

**The Acting Speaker:** Order. We would like to hear the remarks from the member for Etobicoke West.

**Mr Stockwell:** Last time I checked the province of Ontario, I didn't see any NDP elected, and as I was checking through the election results, I will say this, I say to the member for Chatham-Kent, Randy Hope—and I'm not defending the Tories, but they did a heck of a lot better than the NDP—in fact, when I checked most of the ridings, you people finished fourth.

As I just checked the Environics poll that came out again today, I can't understand how they can stand up and heckle anybody on the success or capacity to offer up solutions that are publicly acceptable when they're sitting in the polls so low they're near single digits. So I don't know if we should be going around—

*Interjection.*

**The Acting Speaker:** Order. The member for Chatham-Kent, please come to order.

**Mr Stockwell:** —particularly the government, comparing notes on who's more popular at this time, because, as far as I can tell, if a popularity context were held today, I don't know if there's a negative vote, but I'm certain they could apply for it.

So we have this new plan. You want to know what really gets to me? This new plan, cooked up by the Liberals, which I think the most success it will have will be as much success as the NDP has with theirs.

Metropolitan Toronto chairman Alan Tonks is talking about a 1% tax levy for this plan. This is how out of touch these people are. Let alone talking about a jump-start of the economy, who's got the 1% on your municipal taxes? Who's got it? I mean, mine's around \$4,000. So you've got to pony up another \$40. That's not much. But what about a business, where its taxes could be millions of dollars? That's a lot of money to them that they don't have. We're going to spend it on another jump-start of the economy.

These people, who should have learned from their first mistake, their \$700-million Jobs Ontario plan, can't wait to borrow more money to do it again. Eventually, when they stop hitting their heads against the wall, they're going to feel better. But I can't believe they're going to

do it again, after the complete disaster of their first plan. **1720**

In the closing minutes, I want to talk about what's at stake now. The first thing that's gone by the books is universality; dead, gone, out of business. I don't think this government could make a claim now that there is one universal program alive and kicking in this province today. I say that guardedly, but I've done the research.

Can they give me one example of any universal program that's alive and kicking today? They can't, because they don't exist. That's the first one. But that's gone. You know how they get rid of it? They don't call it "user fees"; they call it "parental contributions." That's hilarious. I talked about that. They want to say that there are still universal programs, but they refuse to accept the fact that they have parental contributions.

You know what it has come down to with this government? This is how sad it is to be a socialist today. I was up the other day talking about eating crow and the crow population declining, and it was a little tongue-in-cheek, but it is really true. These people have children that are wards of the state in effect, and they get a payment from the federal government called the baby bonus. They get that money from the federal government because there are wards of the state.

**Mr Randy R. Hope (Chatham-Kent):** Child tax credit.

**Mr Stockwell:** Child tax credit. Everyone knows it as the baby bonus. Do you realize, Madam Minister, that they're skimming that money, not getting it down to the children who need it, and putting it into the general revenue? That's unbelievable.

I look to my friend Peter Kormos. I can't understand how he can sit in this Legislature. I look to the member from Oxford or St Catharines or Chatham or the Views, any of them. I look to them and I ask them, how can you do this? How can you allow the provincial government to skim the baby bonus for children that are wards of the state?

**The Acting Speaker:** I'd like to ask the member to consider the tone of his remarks. I would like for him to consider language which would not disrupt the House. Please continue.

**Mr Stockwell:** Most of the time when I'm brought to order by the Speaker, I'm generally agreeable that sometimes I've gone over the edge. But this time I don't know what I said.

**The Acting Speaker:** I am just asking the member to consider the general tone of his remarks. I would like to be able to listen.

**Mr Stockwell:** Okay. I apologize, Madam Speaker. So anyway, we've reduced this socialist government to skimming baby bonuses for children who are wards of the state.

**Mr Peter Kormos (Welland-Thorold):** It is not a socialist government.

**Mr Stockwell:** The member from Welland points back at me and in clear tones said this is not a socialist government. Some would probably buy into that. In my



book it's still a socialist government, because they still do things that socialists do. They just don't do it all the time, so that usually makes them Liberals.

But it is really hard to believe. Another thing that took place was the Minister of Education introducing strikebreaking legislation. We're out to borrow money. They're asking for parental contributions, they're skimming baby bonus money, they can't maintain a universal health care program, cancer patients are lining up, Americans are coming in and getting treatment in one week that's taking Canadian citizens three months, we've got the Solicitor General telling us he's going to investigate.

Maybe it'll take him a month to determine why somebody got a parole who had 18 outstanding counts against him and in the meantime killed a cop. We have all this kind of stuff, and then we have the Minister of Education, who claims to be a socialist, standing—

**Mr Perruzza:** Do you know what I say? I say let's turn it over to our good friend Chris right now. Chris, come over, take over, and all of the problems will be solved tomorrow.

**The Acting Speaker:** Order. The member for Etobicoke West has the floor.

**Mr Stockwell:** They've finally seen the light. They've suggested to me that if they simply moved out and allowed another party, such as ours, in to govern, the problems would be solved.

You know what? The fact of the matter is this: If anyone were to be honest in this House and tell this House, when you speak to the average citizen in this province what's the first question they ask you, the first question every citizen I've run into in the last year and a half has asked me is, how do we get rid of you guys? The first question they ask is how we get rid of these guys.

I'm sure those teachers in Sarnia are wondering what a social democratic government is doing introducing strikebreaking legislation. You've got to wonder about that. You look at Randy Hope up there from Chatham, who's a union man through and through. I've heard them call each other brothers and sisters. He's got blister marks still to this day from carrying the picket signs, the worn-out soles in his shoes. Yet he stands in his place and introduces strikebreaking legislation. You've got to wonder. I mean, have they looked in the mirror lately? Have the perks of power caught up to them to that degree?

The social contract was one thing, but they kind of argued, "Well, gosh, we're in tough times. We've really messed up, we've spent way too much money, we've borrowed like crazy and we'd better pretend to do something about it," and not really do anything. But to introduce strikebreaking legislation and have members like the member from Hamilton, Mr Mackenzie, the Labour minister, and a guy from Chatham like Randy Hope, the union man himself, an organizer, a representative, a steward, standing in his place saying, "If there's one thing we need today in this province, it's a good piece of strikebreaking legislation," it makes your head

spin. I can't keep them straight. You need a program to keep their policies straight. They've got to start numbering them.

**Hon Richard Allen (Minister without Portfolio in Economic Development and Trade):** You should have been a caricaturist.

**Mr Stockwell:** Well, if I were a caricaturist, I could certainly do you. I'd just have to shut my eyes.

So we come down to this debate on Mr Laughren's resolution. They're asking us to go out and authorize expenditures of billions of dollars, and if I don't in the end wrap up with at least some kind of lighthearted statement about the member from Chatham, I'd end up being like I am at the beginning of this: absolutely frustrated, demoralized and depressed.

Like the member from Brockville suggested, there comes a point when you can't even get mad any more, because you're wasting your time. You're absolutely wasting your time, because sensible, responsible positions that are put forward are dismissed, decisions will not be made, round tables are established, people are ripping off systems in this province with reckless abandon, and we're not dealing with those issues, as well as continuing to sink in this quagmire of a recession. So sometimes maybe you're a little lighthearted in here, but if you're not, I end up being so, as I said, frustrated and terminally depressed.

**Mr Perruzza:** Like your Conservative friends caused the—

**Mr Stockwell:** In the end, I knew you couldn't make it through one speech without the member over there trying to blame somebody else for their disgraceful ineptitudes. It always comes down to one member across the floor blaming another level of government, but blaming somebody else, because they don't make decisions because they don't want the responsibility. When you have a government that doesn't want responsibility and won't make decisions, you end up with an ineffective government that needs to be replaced, and if I had the power I would do today what the vast majority in this province wants: I'd call an election.

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased to join the debate on the motion by the Minister of Finance to pay the bills in the next two months and begin the debate by saying I think the issue, perhaps the major issue, certainly one of the major issues that this Legislature is going to face over the next two years, is where we're going to find the money to pay the bills.

I would say to the Legislature that we have a legislative committee called the standing committee on finance and economic affairs, and it began public hearings today on the underground economy. In my view, that's going to be a very worthwhile activity.

1730

What it's shown so far is that we have a major problem on our hands. I think many of us intuitively understood the size of the problem, but today we were fortunate to have the Ontario Chamber of Commerce, the group concerned about smoking, the Canadian Federation of Independent Business and the Ontario Home Builders'

Association before us. All of those groups highlighted the enormous revenue problem that the province has faced and is going to face.

I realize the solutions are going to be less easy to find than defining the problem, but I'll just go over some of the numbers so we understand what we're dealing with here.

Back in 1990-91, tax revenue in the province was about \$33.5 billion; that's how much tax revenue came into the province, and that's where we get our money to pay the bills. In the last three budgets, the NDP's first three budgets, taxes went up by \$3.5 billion. So 1990-91 tax revenue was \$33.5 billion and taxes went up by \$3.5 billion, so you would expect tax revenue to be at least \$37 billion because of the increase in the tax rate. You would actually expect it to be higher, because there had been some economic growth and that should have generated more tax revenue, so you would expect tax revenue on that basis to be around \$37 billion. Tax revenue this year actually will be around \$31 billion. Somehow or other, the tax revenue has dropped over what you would have expected by about \$6 billion.

I think we can all understand the magnitude of that problem, but it is immense, and there probably are three explanations for it. Yes, the economy has been somewhat weak, but that was built into the estimate that we should have had \$37 billion of revenue. Inflation's been quite low, but that was built into the numbers too. In my opinion, the major reason for that revenue drop is that we are seeing a very dramatic growth in what's become known as the underground economy. Some would call it the black market economy, some would call it the informal economy, but whatever you call it, it is an enormously major problem.

The reason I raise this when we're debating supply, where we are voting on paying the bills, is that I think we're going to have to focus quickly on how we are going to raise the money to pay the bills—

**Mr Robert V. Callahan (Brampton South):** The future.

**Mr Phillips:** And the future, as my colleague said.

All the groups that came to present today I thought were responsible. They have a variety of solutions to the problem, but they all said the problem was significant. In fact, the chamber of commerce described the underground economy as growing dramatically, that the underground economy is a major and growing problem. They also indicated, by the way, something that really worried me: In the survey of their members, their members are very concerned about it, and many of their members believe, "Everyone is cheating, or trying to," not the members themselves, but everyone. I asked the chamber representatives, "Are we on the edge of an even more significant problem?" and the chamber members indicated we may very well be.

As we talk about the expenditure side and all of those things that we must debate, I think finally this Legislature now has the vehicle for looking at the problems we're going to face on the revenue side, and they are extremely significant.

Mr Bulloch from the CFIB probably has studied this problem more than almost anyone in Canada, save for perhaps some economists whose business it is to study this specifically, and it is his opinion that even now the combined shortfall in revenue this year over what the federal and provincial governments have reported is about \$9 billion. In other words, when you take the federal government's revenues and all the provincial revenues there's approximately a \$9-billion shortfall over the current estimates.

So here we are. We have seen, as I say, \$3.5 billion of tax increases in the last three years. I'm not making a partisan comment here; those are the three budgets. But instead of going up from that \$33.5 billion to the \$37 billion you would have expected, we've actually seen revenue drop by \$6 billion over what we expected and \$2.5 billion over what we actually had in 1990-91.

My concern in all of this is that as we vote later today, I suspect, on the interim supply, we are running the risk of an additional revenue shortfall. I had hoped we would have seen the second-quarter results today. I had been told informally that they were going to be available this week. I gather they've been delayed a couple of weeks, awaiting maybe some clarification from the federal government on the updated numbers. I'm not sure of the reason for the delay, but the Minister of Finance has said there's an \$800-million to \$1-billion revenue shortfall already. I hope it doesn't get any worse than that.

Before I move on to the expenditure side of this issue, I wanted to flag for the members of the Legislature the work the committee is doing. I think we're off to a good start in the message that's coming out of it from outside witnesses. The Ministry of Finance people were before us last week and painted a very concerning but similar picture, and they had a chart that showed tax revenue—and this is what I've been talking about—dropping dramatically, and unexplained.

As I said earlier, there's an old rule of thumb around the province that says tax revenue grows at the rate of 90% of nominal GDP. In other words, if the nominal GDP is 4%, and 4% is not unusual, revenue should be going up at 90% of 4%—3.6%.

**Mr Sutherland:** We can't apply that any more.

**Mr Phillips:** That's my point. The member says we can't apply that any more. That's exactly the point I'm making, that this no longer applies and the reason for that is that much of the economy has moved underground or informally. Well, the member for Oxford shakes his head and says no. I'll look forward to his explanation of where it's gone, then, because the Ministry of Finance people cannot explain it; we asked them to tell us what's happened here. He's a parliamentary assistant, so if he's got an explanation for it then I will expect it before the committee, because we asked the specific question, "Explain that." There's no explanation other than that the underground economy is picking up an enormous amount of revenue.

I'll look forward to that committee's work. I'll look forward to the Ministry of Finance people coming in to explain the details of it, because obviously the member for Oxford has that explanation.



I'll turn now to some of the expenditure issues. I've talked a lot about revenue and raised the concerns about where we are going to find the money to pay these bills. You often hear people saying that at some stage, as you raise taxes, it becomes counterproductive; at some stage, you actually drive enough of the economy underground that it becomes counterproductive.

1740

**Mr Callahan:** Are we there now?

**Mr Phillips:** The member says, "Are we there now?" I don't know that, but the facts are, we've taken taxes up that should've yielded \$3.5 billion more revenue, and revenue has actually dropped by \$2.5 billion. Something's happening there. If you just look simplistically at it, you'd say, It may be that we have finally reached the stage where—

**Mr Callahan:** Saturation.

**Mr Phillips:** —saturation or where tax increases become counterproductive. I think we owe ourselves a detailed look at whether that is true. I understand completely the revenue problems the Minister of Finance faces. There are no simple solutions. I've never said, "The NDP are to blame for our economic woes." I've never said that. I happen to believe the NDP have made a significant contribution to it, but it would be unfair and unreasonable to blame them all for that. They have a problem.

**Mr Callahan:** On a scale of 1 to 10, how would you rate them?

**Mr Phillips:** Significant. They have a significant problem with the deficit, but the point I'm making is that to count on more revenue from the taxpayers is now very, very much in question.

I want to turn now to the expenditure side and to say there is no doubt that Premier Rae is pulling out all the stops to try and record lower expenditures. Again, that's not an easy thing to do. I think managing the expenditure side is tricky.

The point I want to make, though, is that when you are faced with what can only be described as quite a desperate fiscal situation, there's a temptation to report things in a way that, in my opinion, may not accurately reflect the real finances.

**Mr Callahan:** Hide them.

**Mr Phillips:** Hide them, or report them in a way that I don't think is an accurate reflection of the finances. As a matter of fact, one of the points one of the groups made today was that in its opinion, one thing that people use as a justification for participating in the underground economy is they say, "If government can play games with the books, why do they want us not to play games with the books?" They weren't condoning it; they were just saying it. So when the auditor reported his comments on the pensions, which was widely reported, one of the groups today said that that had an impact. The feedback they got in polling their members said, "Well, the government's playing games with the books and therefore, how do they expect the private sector not to?"

The reason I raise that is because there are several things the government is doing that I believe are ques-

tionable. I'll give you three or four examples.

The government is planning to sell off a whole series of government buildings.

**Mr Callahan:** Selling jails.

**Mr Phillips:** Jails. The government has planned to sell \$500 million worth of jails and show that as revenue. So the revenue coming into the province is going to go up by \$500 million because of all these jails that are going to be sold. Does anybody here really think there's a market for jails out there?

**Mr Callahan:** It's a jail sale.

**Mr Phillips:** It's a jail sale, as my colleague said. There'll be for-sale signs on the Don Jail and the East Metro Detention Centre and what not, and there'll be a tremendous demand for people who are looking to buy jails. In fact, the market's going to be flooded with jails; \$500 million worth of jails is a lot of jails, I think.

My point is this, though. The government is going to "sell" \$500 million worth of jails, but they're not selling them to somebody who wants to buy a jail, obviously; they're selling it to themselves. So it will be just a straight paper transfer: \$500 million worth of jails that we used to own, and we sold them to, guess who? An Ontario government crown corporation called the Ontario Realty Corp, and then we're going to lease them back.

That's exactly the kind of transaction about which people who aren't involved in government said: "That's so transparent. That's not revenue. That isn't \$500 million we've brought in. That's simply a paper transfer." As soon as you do that, they're going to have to lease the jails back and we'll have a new annual cost of at least \$50 million.

That's one example where we run the risk of losing the confidence of people. When I say to people, "We're selling \$500 million worth of jails and then leasing them back," they say, "What kind of games are you playing there?"

There's a second thing I want to be sure everyone is aware of, and that is the way that—

**The Acting Speaker:** There seem to be quite a few conversations going on. I would like to be able to hear the member. Please continue.

**Mr Callahan:** They don't care.

**Mr Phillips:** Thank you, Madam Speaker. A second thing—and I'm pointing these things out because I think we don't focus on the real issues—

**Hon Gilles Pouliot (Minister of Transportation and Minister Responsible for Francophone Affairs):** He brings his lawyer with him.

**Mr Phillips:** I'm glad the Minister of Transportation has come in, because the way we now are going to handle school capital and hospital capital I think is playing with the books. Just so everybody understands, every year the province spends \$600 million on school, college, university and hospital capital. You can go back year after year after year: \$600 million. The province says, "We're still going to spend \$600 million a year on it, but we're going to get the school boards to go and borrow the money for us and we will commit to repay

that over 20 years." The province will say, "Yes, we're still spending \$600 million a year on school capital," but that's debt that's hidden over on the school boards' books. In five years there will be \$3 billion of debt there; in 10 years there will be \$5 billion of debt. The reason I point that out is because people who are looking for their government to give them the straight goods say, "That's just playing games with the numbers."

There is a third area that I hope I'm wrong on, and that is the pensions. We've been through the social contract discussions and debate here. The goal was to save \$2 billion. Just so everybody knows, of the \$2-billion saving through the social contract, \$700 million of it is in reduced contributions to the pension funds, to the teachers' pension and the public service pension. The big chunk, the majority of the saving, is by reduced contributions to the pension funds.

I think everybody should be aware that those two pension funds have an unfunded liability—in other words, a shortfall in them—of \$11.5 billion. That's what the Provincial Auditor says and that's what the funds say: \$11.5 billion in unfunded liability. That's not me; that's what the funds themselves and the auditor say.

**Hon Mr Pouliot:** Low inflation and high rate of return.

**Mr Phillips:** The Minister of Transportation is saying it's all just fine. I hope it's all just fine. I asked the Premier in the Legislature months ago to give us, the opposition, the verification of that. If it's actuarially sound, fine. It's curious, as I say, that the majority of the social contract saving is a reduced contribution of \$700 million this year, \$500 million next year, \$500 million the following year.

**Mr Callahan:** They'll leave it for the next government.

**Mr Phillips:** My colleague said, "Leave it for the next government." There's no doubt. These are what's called defined benefit plans, so if there's a shortfall in them, somebody's got to make it up in the future.

#### *Interjections.*

**Mr Phillips:** I say to the government members who are heckling and I say to the government, if in fact it's actuarially sound, and it may be, do what we asked the Premier to do: Give us the pension fund managers' professional evaluation on that. I asked for that months ago and haven't gotten it yet. We're talking about huge sums of money: \$700 million of the "\$2-billion" social contract saving is pension fund. If the government's wrong on this, we're talking about dramatically adding to the \$11.5-billion unfunded liability that already exists there.

1750

**Mr Callahan:** How about the GO train rolling stock?

**Mr Phillips:** My colleague mentioned the GO train. I've been over my concerns about revenue and the underground economy, I've been over some of my concerns about the way the government is dealing with its books, and I understand it is desperate to move everything it can off the books. In fact, in the last year there have been eight new what are referred to around

here as schedule 4 crown agencies established.

Just so everybody understands what that means, 4,000 employees who currently are part of what we call here the government books, the consolidated revenue fund, they're shown as part of the Ontario public service, with the stroke of a pen are going to move over, off the books. That's convenient because they can report 4,000 fewer employees, but they'll still be there. The member for Oxford shakes his head again, but the fact is they are going to be off the consolidated revenue, off book. In fact, the auditor came to the committee raising major concerns. In fact, we moved a motion to try and accommodate the Provincial Auditor's concern but, of course, because the NDP dominate the committee, it was rejected.

**Mr Callahan:** They voted against it.

**Mr Bradley:** Bill 17.

**Mr Phillips:** Bill 17, as my colleague said. We moved an amendment suggested by the Provincial Auditor to try and improve the reporting, which we thought was a sound recommendation from the independent Provincial Auditor, and it was rejected by the government members. So you can understand why we raise these issues now in the Legislature, because I want all of us to understand eight new schedule 4 agencies, 4,000 currently on our public service payroll identified as public servants are going to move over and a budget of about \$3 billion. I know we talk about these huge numbers; \$3 billion is also going to move over.

I've said all along there is some merit in these crown agencies in varying degrees. But I disagree dramatically with the move to try and get them off the book, off the consolidated revenue, out of sight. That's wrong because the public is saying to us, "We need to understand the magnitude of our fiscal situation before we can effectively understand how you're going to deal with it and before you can get our support."

**Mr Callahan:** And honesty they want; they want honesty.

**Mr Phillips:** And honesty, my colleague said. So here we have many examples where the government is trying to find ways to mask the magnitude of the problem, whether it be—as I said, selling \$500 million worth of jails is really strange. I don't think anybody out there is mistaken for what that is. It is simply borrowing \$500 million, mortgaging \$500 million worth of jails, and then going to lease them. I think the way that these crown agencies are attempting to hide both the number of people working for the Ontario government and the spending is very transparent.

The whole issue of the pensions—and when we're dealing with an unfunded liability, and these are incredible numbers, of \$11.5 billion, a shortfall in those pension funds, and then when we get into the social contract, the first thing and the major saving is in a \$700-million reduction—

#### *Interjections.*

**The Acting Speaker:** Order.

**Mr Phillips:** Thank you, Madam Speaker—a \$700-million reduction in the contribution to pensions, and we



can't get from the government a confirmation that that is based on sound actuarial assumptions. If you want the opposition to stop talking about it, bring it forward. Show us that the people who have the responsibility, as they say, the fiduciary responsibility, for managing those plans are in agreement with it.

**Mr Callahan:** We're from Missouri.

**Mr Phillips:** My colleague said, "We're from Missouri" on that.

To conclude, I think people who are about ready to see us vote on approving the necessary expenditures to keep the government operating over the next two months should understand those two significant issues that for the opposition are concerning us: Where's the revenue and what's happening to our revenue base? Secondly, let's agree that we will support the Provincial Auditor's recommendations on changing the way the books are kept in the province so we can all be dealing with reality and not fiction.

**The Acting Speaker:** Mr Charlton, on behalf of Mr Laughren, has moved government notice of motion number 10. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the ayes have it. I declare the motion carried.

**Mr Elston:** On a point of privilege, Madam Speaker: In regard to the following notice, I have a question. It says: "Tomorrow, Friday, October 29, Mel Swart is holding a press conference in the legislative media studio at 10 am. He is stating his views on Bob Rae's continuing leadership."

My point of privilege, Madam Speaker, is that the use of the media studio is required to have a sponsor. It is not indicated in this notice that there is a sponsor. I wonder if you could check into the matter to make sure that there is a sponsor and if you would advise the House who sponsored the particular media studio visit by the previous member for Welland-Thorold.

**The Acting Speaker:** Thank you. Would the member take his seat.

#### BUSINESS OF THE HOUSE

**Hon Brian A. Charlton (Government House Leader):** Pursuant to standing order 55, I would like to indicate the business of the House for the coming week.

On Monday, November 1, we will continue second reading of Bill 47, photo-radar.

On Tuesday, November 2, we will debate an opposition day motion standing in the name of Mrs McLeod.

On Wednesday, November 3, we will complete third reading of Bill 17, the capital investment plan. Following that, we will move into committee of the whole on Bill 40, community economic development, and then begin the second reading consideration of Bill 31, the Income Tax Amendment Act.

On Thursday, November 4, during the time reserved for private members' public business, we will consider ballot item 33, a resolution standing in the name of Mr Turnbull, and ballot item 34, a resolution standing in the name of Mr Marchese. On Thursday afternoon, we will continue second reading debate of Bill 47, photo-radar.

**The Acting Speaker (Ms Margaret H. Harrington):** It being almost 6 of the clock, this House stands adjourned until Monday, November 1, at 1:30.

The House adjourned at 1759.







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## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Monday 1 November 1993

# Journal des débats (Hansard)

Lundi 1 novembre 1993

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers



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Monday 1 November 1993

The House met at 1331.

Prayers.

#### MEMBERS' STATEMENTS

##### WASTE DISPOSAL

**Mr John C. Cleary (Cornwall):** It is on behalf of the council of the township of Cornwall and area residents that I rise today to address their concerns about the Ministry of Environment and Energy's action on a waste transfer site.

This transfer site has been in the planning stages for some time now, and it was my initial understanding that all parties were in favour. However, the council says it was not informed of the extensive range of hazardous waste that the ministry wants to collect in Cornwall township. The reeve and council have told me that the approval certificate for the site was issued without significant public input, and it is in complete contradiction to the ministry's policy.

As a result, the council passed a resolution on October 30, asking me to raise its concerns that the Environment ministry did not apprise it correctly or fully of the details of the waste transfer site, nor did the ministry follow proper policy for the certificate of approval. At this point, the council and concerned area residents are withholding all support for the transfer site. They do not want planning or construction for the facility to proceed without the significance of their local bylaw being determined and appropriate amendments made with public consultation.

##### PUBLIC SAFETY

**Mr David Turnbull (York Mills):** The time has come to take action to deal with the dangers associated with high-risk repeat offenders, especially paedophiles and sex offenders. We as legislators must take responsibility for the fact that the existing law allowed Joseph Fredericks, an eight-time convicted child molester, to be free when he abducted Christopher Stephenson, and allowed a repeat sex offender to be released into the York Mills community upon completion of his prison term, even though the Ministry of Correctional Services considers him to be a high-risk release and psychiatrists suggest he will strike again.

Attorney General, we know you were not responsible for the fact that at the time of sentencing of this repeat offender in 1988, the crown chose not to proceed with an application to have him declared a dangerous offender. However, as the law currently exists, there is nothing one can do to protect society from this man, who is likely to strike again.

Is it not reasonable to amend the law so that the system allows for the psychiatric review of those cases prior to release in order to assess the rehabilitative effects of the period of incarceration? I urge the Attorney General to approach the new Solicitor General of Canada to explore ways of reforming the legal system. Public security must take priority over the individual rights of repeat offenders deemed to be high-risk releases.

##### BETTY GERRARD

**Mr Peter Kormos (Welland-Thorold):** I'm grateful for the chance to address this House this afternoon. Indeed I am always grateful for any opportunity to speak to this assembly. I should tell you, Speaker, I do so today with some sadness, because it's never a pleasure to have to eulogize somebody, especially somebody to whom you have been close and somebody who has been such a faithful member of our community.

Betty Gerrard was my staff person, my legislative assistant, indeed from my re-election in 1990 until now. She had worked for Mel Swart for a number of years when Mel championed any number of causes here in this Legislative Assembly. She sadly and very prematurely died a couple of weeks ago, on October 14.

She was a strong woman, she indeed was a formidable woman, and she was a faithful woman. There were times—and Lord knows why she would ever get angry with me as my staff person—when she was furious with me but would none the less defend me to the occasional critic that I might find here at Queen's Park.

She was faithful to her ideals as a New Democrat, and a lifelong New Democrat. Oh, there were days when she proclaimed to me that she was going to tear up that membership card, but at the end of the day she would inevitably say no, because she was faithful to the movement and the cause she believed in, that she, when working with Mel, fought for and that she, in working with me, fought for as well.

I express my sympathies to her son, Kevin, her daughters, Christine and Dawn, and her grandchildren, and I tell her and her family that on behalf of all of us we will miss her.

##### EMPLOYMENT EQUITY LEGISLATION

**Mr Alvin Curling (Scarborough North):** I stand to express my concern about the manner in which the employment equity bill is being handled. As you know, Mr Speaker, and I want to advise you, the government of the day has pulled back the bill, and I agree with that because it's so terribly flawed.

When I asked the question in the House the last time, the honourable minister stated that we had walked out, but she must understand that she has the majority and that any time she brings that bill back we're ready to deal with it. Maybe she has no confidence in her parliamentary assistant, who has done a job I'm not quite so happy with, but we want that bill.

What must I tell those communities, the business community, who want that? What must I tell Mr and Mrs Eric Bithwright, who have worked so hard in bringing their kids up and who want that access and fairness in the workplace and within the school system and want to show that equity is there?

I know this government is committed to that cause, but because it is incompetent in certain ways we are telling it that both sides in the opposition are willing to work with it to bring employment equity to a fairness there.

I'm sure the Chairman, as he sits there in his frustration in the justice committee, wants that to happen, but somehow there is no cooperation, there is no commitment, there is no will by this government to bring this forward.

We need no token bill. We need an employment equity bill that is fair for all people of this province.

#### LONG-TERM CARE

**Mr David Tilson (Dufferin-Peel):** I rise today to inform the House about a hypocrisy that I feel is occurring within the Ministry of Health. The Minister of Health stands in this House and repeatedly states that the government position of long-term care is to encourage and assist individuals to stay in their homes longer to keep health costs down and to ensure that patients are as comfortable as possible. Yet, Minister, when given an opportunity to provide the individuals with the assistance needed to stay in their homes, I say you have not acted on their request.

I have written the Minister of Health regarding one individual who is suffering from ALS and wishes to stay in his apartment in an attendant-care building. He was promised in July of this year that he would begin to receive care from the attendants in the building. As of today, he has still not received that promised care.

The Minister of Health cannot make sweeping statements in this Legislature about long-term care and then ignore the requests when they do come in. This is a situation in which you could act on one of the promises you have made in the House. Case after case proves that in many situations, and if the patients are willing, care provided at home is beneficial to both the patient and his care givers and causes less stress on the system by not placing the patient in a hospital.

I urge the minister to act on the request of the doctor of Robert Clark to provide the urgently needed attendant care in his own home.

1340

#### ARGORD INDUSTRIES

**Mr Rosario Marchese (Fort York):** November 4 will be a sad day for small business in Ontario. As chair of the Fort York Small Business Working Group, made up of more than 50 small businesses in my riding, I want to inform the House of our efforts to prevent a bank from pushing yet another small business over the edge.

Argord Industries is the business I speak of. It employs 45 people and has operated here in Toronto since 1942. But on November 4, Argord's receiver will auction the business to pay the bank's credit line. Meanwhile, Argord has retooled and redesigned its product for both the Canadian and American markets under free trade and has over half a million dollars in work orders to complete, if only the bank hadn't shut the business down.

This is all too typical of bank relationships with small businesses. They would rather put the business under at the first sign of trouble than work with an innovative business to help it grow. The failure of Argord will cost Ontarians nearly three quarters of a million dollars in lost taxes and social assistance, far more than what is owed the bank.

But on November 4, there is also hope for small

business. I will be introducing a resolution calling on the new federal government to work with the provinces to ease the credit crunch facing small business. I suggest that both levels of government pass a community reinvestment act to require banks and financial institutions to recycle a minimum portion of their loan portfolio within the communities they serve.

I urge the members of this House to support this resolution.

#### LABOUR LEGISLATION

**Mr Steven W. Mahoney (Mississauga West):** On Saturday morning, I had the privilege of attending in St Catharines, along with the Minister of Labour and others and Mr Bradley, the Provincial Building and Construction Trades Council of Ontario's 36th annual convention.

As you can appreciate in somewhat labour-oriented Ontario these days, there was a lot of concern being expressed about the direction this government has taken in relationship to Bill 80, as an example. Many of the members of the various unions in the construction trade feel that this minister is not listening to their concerns. The majority of the members have expressed concern in relationship to Bill 80. That came out very clearly when Joe Duffy, the business manager and secretary-treasurer, who spoke at the meeting, gave the minister a very clear message. That message was, "We represent the majority"—"we" being the people in that room—"and we think the minister should listen to the majority."

But in addition to that, there was also a discussion about what the economy in Ontario is really based on. The fact is that we are really a bricks and mortar economy; we are an economy that relies on construction activity. The men and women in that room in St Catharines sent out a very clear message to this government: that it should be moving ahead with infrastructure plans, that it should be encouraging construction, that it should be listening to the thousands of people who work in the construction industry, who can and will help this government get the economy on track if only it will listen to them.

#### PHARMACY AWARENESS WEEK

**Mr Jim Wilson (Simcoe West):** The Ontario Progressive Conservative caucus is proud of the excellent relationship it maintains with the Ontario Pharmacists' Association. Working in tandem with the OPA, our party has advocated on behalf of fairness for Ontario's pharmacists on a wide range of issues such as the regulated health professions legislation, fee negotiations and Bill 81.

It is with great pride that I rise in the Legislature to recognize Pharmacy Awareness Week in the province of Ontario. Unlike the NDP government's draconian Bill 81, and unlike the Liberals, who implemented harsh anti-pharmacist legislation with Bills 54 and 55 in 1986, the PC caucus respects the valuable contributions made by the pharmacy profession.

The goal of Pharmacy Awareness Week is to inform the public of the important services being provided by pharmacists in Ontario and to heighten the image of pharmacy while promoting pride within the profession.



During Pharmacy Awareness Week, pharmacists are encouraged to reach out to the public and to tell them why their mutual relationship is vital. Above all, it should be reinforced to the public that their local pharmacist is their true friend.

During Pharmacy Awareness Week, I want to assure pharmacists from all across Ontario that the PC caucus understands their concerns and we will work together on their behalf at Queen's Park. My caucus colleagues and I will do all that we can to ensure that the government, under Bill 81, is not able to run roughshod over pharmacists and play God with the pharmaceutical needs of the people of Ontario.

#### TORONTO AND AREA COUNCIL OF WOMEN

**Ms Margaret H. Harrington (Niagara Falls):** Mr Speaker, this morning I had the honour of welcoming on your behalf the Toronto and Area Council of Women to Queen's Park.

This group has a proud history of community involvement and political involvement by women. Tomorrow is the 100th anniversary of the foundation of the Toronto Council of Women and the National Council of Women. So this morning, to mark the 100th anniversary, and the 100th anniversary of the Legislative Building, a large group of women gathered outside to dedicate a new bench in front of this building. I hope all the members, the staff and the visitors will make use of this and enjoy it. Certainly we do need fresh air from time to time.

Local councils of women are federations across this province. In each community, monthly meetings bring together representatives of all women's groups: the church groups, the YWCA, the superannuated teachers, the business and professional women, the Zonta club etc. For the past 100 years, women have worked together to address the needs and the political issues in their own communities, and they have made annual presentations to the cabinet of Ontario.

Today I salute the many people who have worked so hard for local councils of women, those ones I know from Niagara Falls: past president Ruth Redmond, Dee McRae, Fran Dane, Flo Sandercock and my friend Ruth Guild. I thank the Lieutenant Governor for this morning hosting a lovely reception, and I salute the founders, who 100 years ago wanted to be called women, not ladies.

#### VISITOR

**The Speaker (Hon David Warner):** Before proceeding, I invite all members to welcome to our chamber this afternoon, seated in the members' gallery west, a former member of the assembly, having represented the riding of Mississauga East, Mr Bud Gregory. Welcome.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### WIFE ASSAULT PREVENTION MONTH

**Hon Marion Boyd (Minister Responsible for Women's Issues):** I would like to remind members today that November is Wife Assault Prevention Month in Ontario. Today marks the beginning of the eighth wife assault public education campaign.

Everyone in this Legislature knows how pervasive wife assault is in our society, as are all forms of violence

against women. Because we have focused on wife assault every fall for eight years and because we've worked to eliminate it—all year, every year—since that first campaign, some will complain that we have little that's new to report, that this is just another annual campaign like all the others.

But every time we run our ads or provide funding for a community group to create its own prevention project, we continue to chip away at attitudes that allow violence against women to continue. This is never just another campaign, any more than there is ever just another woman killed by her husband.

The reality is that women continue to be beaten and killed by their intimate partners, and tough economic times such as these may make public education on wife assault even more relevant than ever. An Angus Reid poll released in July 1993 showed that 67% of Canadians surveyed felt that violence against women had increased over the past 10 years. Of that 67%, 24% cited unemployment and economic hardship as the reason for this perceived increase.

The belief that outside influences are the cause of wife assault is disturbing. Economic hardship does not cause wife assault, any more than drugs or alcohol do. We know that wife assault occurs during good times as well as bad, and we know it occurs whether or not substance abuse is a factor. There is no excuse for this crime: a crime which results when one partner uses violence as a means to exercise power and control over the other.

#### 1350

Public education is one way we can address the misconceptions which persist about wife abuse. In this year's wife assault prevention campaign, we are reinforcing two central ideas that we introduced in 1991. The first is that the term "wife assault" comprises both physical and psychological abuse. The second is that assaultive men are responsible for stopping their violence.

Throughout the month of November, we will air our award-winning television ads which emphasize these themes. We are repeating and re-emphasizing these messages because misconceptions persist and because it takes time to dispel the myths.

This year we have expanded our efforts to ensure that our messages about wife assault reach all the people of Ontario. We have created new radio ads in French and in five other languages: Spanish, Hindi, Korean, Portuguese and Polish. Our existing English and French ads are available on cassette for those who are visually impaired. And as part of the campaign, we will also air radio ads in five aboriginal languages: Ojibway, Ojicree, Cree, Mohawk and Micmac. We will distribute brochures in 18 languages, including Somali, Arabic and Polish. As in previous years, advertisements will appear in more than a dozen languages and community newspapers during the month of November.

In addition, the campaign includes grants to 126 organizations which have received \$212,000 for public education projects geared to the needs of their own communities. These local awareness projects are an integral part of our campaign and help to reinforce the

multimedia messages at the local level.

As I informed the House last year, in order to address the challenge of reducing wife assault and family violence within the aboriginal community, our government entered into a partnership with the aboriginal community. Representatives of the Ontario women's directorate, 11 government ministries and eight aboriginal organizations sit on an Aboriginal Family Healing Joint Steering Committee. This steering committee has facilitated extensive consultations within the aboriginal community. More than 6,000 aboriginal people in 250 communities participated in this process. The consultations resulted in the development of guiding principles which were approved by cabinet. Building on those principles, the joint steering committee has completed a report outlining a holistic strategy for family healing.

We will continue to work together with the aboriginal communities to develop appropriate implementation strategies within the limited resources which are available to us.

Last year at this time, I referred to our government's decision to integrate the sexual assault and wife assault prevention initiatives into a comprehensive strategy aimed at preventing violence against women. This decision was made in recognition that both crimes, sexual assault and wife assault, are part of a continuum of violence against women which has common root causes.

Over the past year, the OWD has reviewed its violence prevention initiatives. We have examined the levels of efficiency, effectiveness and accountability of related programs and services that are funded or approved under the initiatives. As part of the program review, the directorate consulted with stakeholders to facilitate their input into the design of a comprehensive strategy aimed at preventing violence against women.

Through a joint steering committee composed of staff from several ministries and community representatives, grants totalling \$280,000 were awarded to 44 community groups and coalitions of groups across the province to hold their own public consultations. The results of the consultations are currently being compiled and will be presented to me in the form of recommendations very shortly.

The directorate will continue this community partnership to ensure that the new violence-against-women prevention strategy is as responsive as possible to the community's varied needs, and the government will continue its year-round efforts to reduce wife assault and other forms of violence against women, now and over the long run.

**Ms Dianne Poole (Eglinton):** As women's issues critic for the official opposition, I am pleased to add my support to the minister's efforts during November as we declare it Wife Assault Prevention Month.

Today I wear two symbols. One is a poppy, which recognizes the efforts of those men and women who died in two world wars. The other is a symbol of a different kind of war, and it is a war where women are indeed dying. It is a war that is occurring in many families.

Mr Speaker, I know that you won't be surprised to

learn—you may be horrified, but you won't be surprised—that 50% of all women murdered in Canada die as a result of domestic violence. The statistics are horrifying; they're frightening, and one thing this eighth annual campaign has done is to try to educate people across this province about the extent of the problem. It also has been very successful in dispelling a number of the myths.

Last year we talked about some of the myths that were dispelled, such as the fact that it occurs in certain economic origins or certain ethnic groups. But the truth of the matter is that wife assault occurs in every ethnic, every racial, every economic, every social and every age group. It is very important that we continue to dispel myths such as the fact that it is the woman's own fault. I think that too is a myth where slowly but surely we're changing the attitudes and we are dispelling that myth.

There's no doubt that things such as economic circumstances, loss of a job and alcoholism can contribute to violence in the family. But as was pointed out today, we have to dispel the myth that they are the cause of it and we have to ensure that we as a society are not prepared to tolerate it.

But there's another aspect. While we may advertise, while we may seek to educate, we also must ensure that the resources are there at the end of the line.

Last year I did a number of things which remain in my memory today. One was I attended the Ontario Association of Interval and Transition Houses. They basically said: "Without the money to support our shelters so that we can offer the services, we cannot cope with the influx of women who are coming forward to break the silence, who are listening to the advertising campaign. We need to have that stability of funding, that core funding, not only for our shelters but for counselling." So that is something that we have to continue to do and that we must do much better than we are right now.

Another thing they mentioned was police sensitivity training. While it's there on paper, it was very obvious from listening to the stories of the women that in community upon community across this province, there was a problem with consistency, and that quite often the paper didn't translate into actions in training for the police. That is something I know we are all very concerned about, and we must make sure that the police are sensitive to the crime of wife assault, for indeed it is a crime, and that they are prepared to deal with it and to be fair to the victim and not treat the victim as though she's the perpetrator.

When I was on a women's issues outreach tour over the last year, one of the important things that came forward was the need for second-stage housing, because once a woman comes out of the crisis intervention shelter, there has to be a place where she can go in order to put her life back together. Yet there are only 15 second-stage housing projects across Ontario, 15 across the entire province, so there is definitely a need for that. I would urge the government to ensure that those second-stage housing projects go forward.

One other thing I'd like to raise is that the theme for this year is, "No man has the right." I really believe this should say, "No person has the right." While I think we



all recognize that the vast preponderance of batterers in family assault are males, I think it's time that we as a society start saying that violence under any circumstances, under any conditions, should not be tolerated. No person has the right to perpetrate violence upon another.

These initiatives that are taken by the government year after year under successive governments are definitely in the right direction. We're making progress, but we have a long way to go before we can say that we've stopped violence in this province.

1400

**Mrs Elizabeth Witmer (Waterloo North):** I would like to congratulate the minister today on her statement, and certainly the Ontario PC Party joins her in doing everything possible in order to ensure that wife assault is no longer repeated in the future.

What we have again is a government talking about prevention. However, it is the same government which has voted down the bill introduced by my colleague from Burlington South, the victims' bill of rights, which would have ensured that female victims did have rights. I find it particularly disappointing that this has happened.

I'd also like to focus on another area. If we are going to prevent wife assault, in fact if we are going to prevent violence against others, we need to put a higher priority on dealing with the children who are at the present time at risk, and I have shared this with the minister before. If we do not provide these 7,000 children who are presently waiting in this province with treatment, we will not be able to break the vicious cycle of wife assault or violence of any other kind.

We know that everyone today is concerned with violence against women. We also know studies have found that sons who witness their father's violence are 10 times as likely to abuse their wives as the boys of non-violent parents. We also know that the mass murderer Marc Lépine witnessed his father's violence.

We now know there are many, many children, as I've just indicated, who are waiting for treatment at children's mental health clinics throughout this province. However, how are we going to break the cycle? How are we going to prevent wife assault when children, 7,000 of them, cannot access in a timely manner the services necessary in this province? That's an area I believe this government needs to take a look at and needs to ensure that these children do not become the future victims.

I also want to ask you, Minister, about another area that involves our young children and our teenagers. Again, this is an area that will have an impact on future wife assault. What action are you taking regarding the media influence on violence? We are seeing increased street violence; we're seeing increased violence in our elementary schools, our public schools and our universities.

Last July I called on you to take steps to deal with a disturbing trend and increase in video games that capitalize on violence against women. So far, we have received no response. I can remember reading in our local paper about two teenaged girls who were beaten up by two men in our city some time ago. The only reason

for those assaults was to provide fun and entertainment.

These two men deliberately selected female victims. We know there is similar demeaning and brutalizing entertainment everywhere. We see it on TV, we see it in the movies and now we're seeing it in video games. Although we can't say this causes all violence, we now recognize that there is a link between media violence and what is happening on our streets, in our schools and in our homes.

We can't expect to give people a steady diet of violence and not expect that they won't in some cases follow through, because violence has become glamorized.

We need in this province and with your help, Minister, to ensure that women are not allowed to be reduced to object status. We cannot continue to tolerate entertainment which looks at women as objects if we are really serious about reducing wife assault.

Yes, the problem of wife assault is very difficult. We can pass laws, we can spend money, but we just cannot force people to treat one another with respect. We need to double our efforts. We need to provide the educational resources. We need to have preventive programs for our young people in order to combat the tolerance of violence that presently exists in our society.

In conclusion, each one of us in this House has a responsibility and a duty to challenge the influences, the attitudes and the behaviour that perpetuate wife assault.

**ORAL QUESTIONS**

**CANCER TREATMENT**

**Mrs Lyn McLeod (Leader of the Opposition):** My first question is for the Minister of Health. A study that was released over the weekend by the Institute for Clinical Evaluative Sciences shows that too many Ontario women have mastectomies done when lumpectomies backed by radiation therapy would be a preferable treatment.

The report, as I'm sure you're aware, doesn't identify all the reasons for this but Dr Goel, who is one of the authors of the report, has said he suspects that a shortage of radiation therapy is one of the reasons that lumpectomies are not performed more often.

You will be aware that the Bayview cancer centre and the Princess Margaret Hospital have put forward a proposal requesting funding for 18 radiation therapists so that they can run their radiation machines for longer periods and treat more people. The Princess Margaret and the Bayview centre, Minister, are waiting for your call.

Their proposal would provide an immediate response to the shortage and it could have an immediate impact on the treatment of breast cancer. I ask you when you will respond to the proposal they've put forward. When will you provide the support that's needed to ensure that women get the proper medical treatment for cancer?

**Hon Ruth Grier (Minister of Health):** I am pleased to be able to tell the Leader of the Opposition and the House that those centres have had that call and that I have approved the joint proposal that was submitted to the ministry by the Princess Margaret and by the Ontario Cancer Treatment and Research Foundation.

Today is the graduation day for the 20 radiation technologists who will be hired as part of that proposal. I'm delighted that, as the Princess Margaret has said, by acceptance of this proposal it believes it will be able to eliminate waiting lists for this radiation treatment in Toronto.

**Mrs McLeod:** I am genuinely glad to hear that response today and I know that the Princess Margaret and the Bayview centre will be appreciative, because when we contacted them this morning they were not aware that you were prepared to make that funding commitment. That will be very good news to them, and it will be good news to people who are getting more and more concerned about access to cancer treatment.

I have to tell you, Minister, that I was concerned when I read in the media the response attributed to you—it indicated that you had said you would pressure doctors into performing more lumpectomies—because surely you recognize that you can't simply lay the blame and the responsibility for this on hospitals and on physicians who are struggling to manage with very limited resources. I am still concerned that, while I appreciate your response today, it is a last-minute response to a crisis that did not need to be a crisis. We had known this was building as a problem for a very long period of time. We ask you again—

*Interjection.*

**Mrs McLeod:** The minister responds in an interjection—and I know, Mr Speaker, we're not supposed to recognize them—that the problem's been building since we were in government. Indeed that's true, which is exactly why there were plans being put in place to coordinate cancer treatment, why there was a proposal to bring forward a cancer care act, why we continue to ask this minister, as I ask her today: Why will you not now take the steps, not just to deal with the immediate crisis, but to sit down with health care providers and consumers of health care to put into place the kind of planning, the kind of coordinated response that will ensure we don't encounter these kinds of crises in the future?

**Hon Mrs Grier:** I think I've made it very clear in the House in response to earlier questions on this subject that we have done precisely as the Leader of the Opposition is suggesting. There has been extensive consultation over the last three years, which has led to a doubling in the number of machines, to an acceptance that we need to bring oncologists from out of the country, and to the announcement today that in the immediate short term we will deal with the radiation therapists issue in order to provide not only the equipment but also the human resources to deal with what is a shocking and growing increase in the incidence of cancer.

I want to get back to the report that the leader raised in her first and second questions, which is the report that was released by the Institute for Clinical Evaluative Sciences on the weekend, and point out to her that many women have suspected for a long time that perhaps they were having radical mastectomies when women in other parts of the province were more likely to get a lumpectomy.

To have the scientific data available was precisely the

reason our government established ICES. The report we now have is the fruit of that investment by the Ontario Medical Association and by the ministry in getting the facts. Dealing with the facts, the report also makes very clear, is the responsibility of the profession and the public hospitals. We intend to work with them to make sure that the data we now have very clearly are used to make sure that the women of this province have improved access and improved care.

1410

**Mrs McLeod:** Minister, exactly. The report points out some problems that we have known for a long time existed. One of those problems that the report points out is the fact that the lack of access to alternatives to mastectomies seems to be particularly acute for women in northern communities. I was again extremely concerned to read of your response to that particular finding, which seemed to be to suggest that maybe physicians in outlying communities just don't know what the appropriate care is. I ask again why you continue to blame the health care providers.

I take you back to a time, Minister, when your party was in opposition and when you did a fairly serious study of access to health care in northern Ontario. Surely you realize the complexities of providing access, particularly access to cancer care, to women who are in northern communities which are at a long distance from their cancer centres.

I ask you whether you have even begun, since you have known, as you say, that this was a problem for a long time, to look at the special challenges of providing access to cancer treatment for women in northern Ontario communities? What are you prepared to do, other than just blame the physicians in the communities, to make access to quality health care a reality for women in these communities?

**Hon Mrs Grier:** It's always ironic that when you in fact begin to collect the information and do the studies because you believe there is a need to change the way in which things have happened in the past, you are then blamed for the very fact of collecting that information.

Let me say to the Leader of the Opposition very clearly that the study to which she is referring says that the intent was to examine practice variation rather than access to treatment and the data were up to 1991, so it does not deal with the current waiting lists, which are much less than they were then or even last year.

Secondly, her contention that people in the north are less well served than people in other parts of the province is not borne out by the data or by the map. In fact, distance to radiation treatment has very little relationship to the variations in practice that are outlined by the report.

The point is that we have some first-rate facilities in this province. We know they provide a level of care not excelled anywhere. What we have to do is make sure that the information, the new practices, the studies that are done in those facilities are available province-wide so that every doctor, every hospital and every woman knows of the options available to her, knows the questions that



need to be asked and is informed as to how she can have the best possible care.

That's what our cancer strategy is all about, and I'm very proud of what we've done in northern Ontario to make breast screening clinics and access to service far more available than they have been in the past.

#### WCB PREMIUMS

**Mrs Lyn McLeod (Leader of the Opposition):** As this is an issue we intend to continue to investigate in some depth, I will turn to a second question, and that is to the Minister of Labour.

Minister, last week many small business owners came into Queen's Park to express their concerns to you about Workers' Compensation Board rate increases. Today, we find out that the rates for workers' compensation that are being paid by the trucking industry are going to go up by more than 10% and that this kind of rate increase simply flies in the face of the consultations that were carried out, in which both management and labour agreed to 5% caps on rate increases. The 10% hike also completely ignores the fact that there has been a 15% drop in accident frequency in the trucking industry in this past year.

Minister, the trucking industry is one which has been truly devastated by the recession. They are only now slowly being able to make some recovery. I ask you today, do you have any idea what these kinds of workers' compensation rate increases will do to this trucking industry and in fact to other industries and to businesses in Ontario, and do you care?

**Hon Bob Mackenzie (Minister of Labour):** I think the deregulation probably had more to do with the trucking industry's problems than anything that's being done at the Workers' Compensation Board. I think what we're in the process of is an average 3% increase for the board for this year. We are also in the second year of a three-year process of trying to re-establish the different rate groups. There are now 200 and some rather than 100 and some rate groups, and there are some adjustments within those individual groups.

**Mrs McLeod:** In the consultation process, it was quite clear that both management and labour involved in the consultation were addressing the issues the minister touches on in his response. The problem for them is that the results of those consultations, the very reasonable proposals they made to deal with the rate reclassification, and in fact with the financial problems of the Workers' Compensation Board, were absolutely thrown out the window by this surprise indication that there's to be a 10% increase in their rates. They are devastated by that kind of announcement. They believe the entire four months of consultation was absolutely meaningless.

According to the letter from David Bradley from the Ontario Trucking Association, Minister, the 10% rate increase was developed at the very last minute by senior management of the Workers' Compensation Board. It is a fact that the board of directors split on the issue and that the deciding vote was cast by the chair of the Workers' Compensation Board, Odoardo Di Santo, who I suggest may have been more concerned about the financial problems of the WCB than he was about either

the impact of these rates or their fairness. I would suggest, Minister, that your appointee is clearly out of touch with the economic realities that the people of this province are facing.

I ask, why does the Workers' Compensation Board continue to dump its financial mismanagement problems on to the backs of the employers of this province? Why should they have to pay for the cost of Workers' Compensation Board mismanagement?

**Hon Mr Mackenzie:** The whole purpose of the reclassifications is to try and achieve fairer rates for the various groups that meet or come closer to their accident records, and that's exactly what we're trying to do. I have to wonder how the leader of the official opposition can continually raise serious objections to the unfunded liability and then immediately attack any method or any attempt to try and bring about a fairer assessment record at the WCB.

**Mrs McLeod:** I will continue to raise concerns about the impact of decisions of this government and its agencies on industries that are as important to this province as the trucking industry is, an industry that employs 200,000 people: real workers with real jobs who would like to keep those jobs.

When the minister says to me that they are looking at reclassification so that rates will reflect accident rates, how does that respond to the fact that the trucking industry's accident rates dropped by 15% this year and yet it is facing a 10% increase?

The trucking industry believes, Minister, that it's being asked to pay for the mismanagement of the Workers' Compensation Board, that it's being asked to pay for the new building that the Workers' Compensation Board has put up, that it's being asked to pay for the inability of WCB to control its own finances. When they see that of the 10% increase in fees, part of it is a 3% charge for administration, it gives their belief some very real substance.

David Bradley of the Ontario Trucking Association believes that the integrity of the Workers' Compensation Board has been called into question by this decision. He has repeated the call for a royal commission into the WCB. We have called for a commission into the WCB. Will you now establish that commission, get to the root of this problem, and begin to make the desperately needed changes in the Workers' Compensation Board?

**Hon Mr Mackenzie:** I would like to repeat once again that the average increase across the board was 3%. The classification, to repeat once again as well, was designed to make the rates in the various occupational groups, regardless of what they've been in the past, much fairer, and to relate to their accident record. Surely the leader would have no objection to that.

1420

#### VIDEO GAMES

**Mrs Elizabeth Witmer (Waterloo North):** My question is to the minister responsible for women's issues. Last July, I asked you about what I believe to be a very disturbing increase in video games that capitalize on violence against women. Young teen boys, who are

the greatest market for video game companies, can freely purchase games of exploitation. As minister responsible for women's issues in this province, why have you not responded or taken action in the four months since I raised this issue with you?

**Hon Marion Boyd (Minister Responsible for Women's Issues):** I have in fact answered the member on a couple of occasions by explaining to her what I, in conjunction with my colleague the Minister of Consumer and Commercial Relations, have done. The MCCR has the primary responsibility around this issue. My colleague and I have written together to the federal government around how to include these matters more effectively.

I would repeat what I said to the member at the time: It is my belief that our best kind of protection is a consumer-based protection. It is important that we as parents, as community members, put pressure on the manufacturers, retailers and wholesalers of these materials and that we determine that our community standards are not in favour of these. All of our laws depend upon the issue of community standards, and to this point in time neither the member opposite nor our government has been able to get the kind of concerted community response that would be most helpful in this area.

**Mrs Witmer:** I am extremely disappointed by the inaction of this government. Because of your inaction, a new video game is expected to hit Ontario stores this week without any type of restriction. This new one is called Metal and Lace: The Battle of the Robobabes. According to the Toronto Sun, we're going to see armoured women pitted against each other and sometimes against men. But when the fighting is done, the Robobabes doff their armour to become sexy, seminude pin-ups. There is no doubt in my mind or anyone else's that the manufacturer has introduced this game just in time for the Christmas rush. Minister, why have you taken no action to limit who can purchase this type of video game?

**Hon Mrs Boyd:** As I've explained to the member before, we are somewhat limited in the amount of activity we can do without contravening other matters that involve charter issues. Obviously, we're equally concerned. Any conjoining of violence with sexuality should be of concern to all of us in this community. I quite agree with the member that the manufacturers clearly have geared this game for the Christmas market, and that should concern us all.

I'm glad that the member has raised the issue in the House, because it means we have an opportunity as a group of legislators to bring to the public's attention, particularly to parents' attention, that this game is available and ask them to exercise their role as parents, to the extent they are able, in terms of limiting this use. I think that is one thing we can do.

I should also say that the MCCR staff and their legal counsel continue to discuss with manufacturers, particularly the primary manufacturer of this kind of material, the need to classify, the need to put notices on this material and the need to restrict it. But we are not in a situation, because video games are normally exempt from the Theatres Act, to exercise the kind of control the member seems to think we can.

**Mrs Witmer:** Minister, I am extremely disappointed. We cannot sit here in this House and be silent while violence against women increases. You just stood in the House today and recognized Wife Assault Prevention Month, and yet when I asked you to take action four months ago, you did nothing, absolutely nothing. Minister, will you finally talk to the Minister of Consumer and Commercial Relations to look at giving legal force to the introduction of voluntary ratings for these games?

**Hon Mrs Boyd:** I speak with my colleague all the time. We share a very deep concern around this issue and are exploring every means legally available to us that we can use. The member, in her response to my statement, seemed to give broad and sweeping credence to the notion that a minister can control every kind of reprehensible behaviour of the population of the province of Ontario. I don't have that kind of power; no minister does. What we can try to do is to work with our communities to try to limit the use of this kind of material within the legal framework that we have, and we are doing that.

We are also attempting to engage the federal government in looking at the Criminal Code offences around this issue because we believe there is a contributory factor for this kind of pornography, and we are seeking, in conjunction with ministers responsible for women's issues across the country, ways in which we can come to a conclusion as to how best to control these. We don't have unlimited action in controlling the choices of the population of this province.

#### BOBLO ISLAND

**Mr Chris Stockwell (Etobicoke West):** My question is to the Finance minister with respect to Boblo Island. It has been learned on the weekend through your ministry staff that apparently, if there is an \$800,000 deferment for some tax reasons, this would have to come through your office and you would be aware of this situation.

I would like to know, did you know about the \$800,000 tax deferment that was offered up to an American-based developer for the development of this site? If so, what were the conditions applied to that \$800,000 deferment? On the weekend, having reached the developer in Seattle, its claim is that the agreement it made with your government is that if it ran the amusement park for 75 days, it would receive an \$800,000 deferment on taxes. That works out to in excess of \$10,000 a day in deferment for taxes that cost the taxpayers money.

Having said that, did you know about this deal? If you did know about this deal, how could you approve such a deal: an \$800,000 deferment to a developer for a 75-day use of an amusement park?

**Hon Floyd Laughren (Minister of Finance):** Perhaps to put this issue in a little bit of historical context, but not a lot because of the time restrictions, when the land transfer tax was passed in, I believe, 1983, one of the provisions was that rather than the regular land transfer tax rate on this kind of purchase by a non-resident—if it was a resident purchasing it would be about 1.5%; with a non-resident purchasing land there's a 20% deferred tax rate applied to that property unless it's developed within five years. I could be out a year there, but I think unless



the land is developed within five years, that 20% land transfer tax must be paid.

Under section 19 of the act, if my memory serves me correctly, if the developer, the non-resident purchaser, meets the requirements of the Land Transfer Tax Act for non-residents, then that 20% land transfer tax is never, ever paid and never was intended to be paid. It's simply to make a provision to ensure that non-residents are not land-banking property in the province for speculative purposes and that it must be developed for residential or commercial purposes.

**Mr Stockwell:** The difficulty the Treasurer has with respect to this development is that you made a separate agreement with this group.

**Hon Mr Laughren:** No.

**Mr Stockwell:** Oh, yes you did, Mr Treasurer. You made a separate agreement with this group. To defer the \$800,000 the agreement states, according to the principals involved who signed the agreement with you, that you would defer the full \$800,000 if they operated the amusement park for 75 days.

Having said that, they have now applied, or had meetings with the local council, the local region, Malden, to make application to change the development zoning from recreational to residential, thereby doubling, tripling, maybe quadrupling the value of the property if they receive rezoning from recreation to residential. They bought the property for \$3.7 million; immediately upon rezoning, they could be talking about \$20 million, \$30 million, \$40 million of value for the property.

An American-based developer comes in, gets an \$800,000 deferment from your government, applies for rezoning and will walk away without building anything with millions and millions of dollars if it gets the rezoning.

You were talking about a speculation tax when you first came to government. Why did you allow an \$800,000 deferment? When they have to go for rezoning now, they will get rezoning and thereby increase the value of the property. What benefit is it to the taxpayers to give this \$800,000 deferment?

1430

**Hon Mr Laughren:** Perhaps the member needs to be reminded that we did not amend the legislation. It was the legislation that was brought in by the previous Conservative government. I'm not saying that critically. It simply has not been amended by us. All the legislation is devised to do is to prevent land-banking and speculation on undeveloped land.

What happened was that the developer did indeed develop the land, developed it considerably I understand, and that land can now be transferred, can now be sold, as long as it meets the local zoning requirements. In fact, what the Land Transfer Tax Act was set out to do, it did do in this case, as in all other cases. What's it's supposed to do is to prevent land-banking for speculative purposes by non-residents. What the transaction provided for here was that if they didn't develop the property within five years, they'd have to pay the 20% land transfer tax, and they did indeed develop the land.

**Mr Stockwell:** The point that needs to be made to the Treasurer is this: The Seattle-based developer has got an \$800,000 deferment in taxes, okay? The deal you signed with this Seattle-based developer said, "If you operate the amusement park for 75 days, we will defer the \$800,000."

**Hon David S. Cooke (Minister of Education and Training):** He doesn't care.

**Mr Stockwell:** The member from Windsor's suggesting this isn't the case.

**Hon Mr Cooke:** I said you didn't care about the people in Essex South.

**Mr Stockwell:** I'm asking for a copy of the agreement through the Treasury department, which it won't give. I've asked the Treasury department officials to fill me in on exactly what the deal is. They won't do that. The only person who will fill us in on what the deal you signed with them is, is the developer, and he said the deal they signed for an \$800,000 deferment said they must operate the amusement park for 75 days. That's what they've told us. If they operate it for 75 days, they'd be given a deferral, as of today, for \$800,000.

**The Speaker (Hon David Warner):** Would the member place a question, please.

**Mr Stockwell:** You suggest this is to stop speculation and land-banking. My suggestion to the Treasurer is that this is exactly what you've encouraged. An American-based developer has bought some property, deferred \$800,000 in taxes, is applying for rezoning to create a windfall of profit, and you've assisted in this by allowing the deferment to take place.

**The Speaker:** Would the member complete his question, please.

**Mr Stockwell:** I ask the Treasurer, can you supply this House with a copy of the agreement you made with the Seattle-based developer and allow us the opportunity to review that to ensure that what he suggests is taking place, the 75 days of amusement park—

**Hon Mr Cooke:** I thought you read the deal.

**Mr Stockwell:** Now the member from Windsor is suggesting—

*Interjection.*

**The Speaker:** Order. The member for Yorkview is asked to come to order. The question has been placed. Would the minister please respond or take the opportunity to do so.

**Hon Mr Laughren:** The member for Etobicoke West is being pretty categorical about an agreement he never saw. Anyway, be that as it may, I would simply reinforce what I said to the member earlier, that the purpose of that provision of the Land Transfer Tax Act is to ensure that when property like that is purchased it is indeed developed. It is my understanding, while I've never been there, that that land has indeed been developed, and that as the land is subsequently sold, there will be subsequent land transfer taxes on that land in subsequent sales as well. I'm not sure what it is the member is trying to say other than that he's making yet another vicious attack on free enterprise in the province.

## ONTARIO DRUG BENEFIT PROGRAM

**Mrs Lyn McLeod (Leader of the Opposition):**

Again to the Minister of Health: Your consultation paper on drug reform envisions charging a user fee of up to \$2,000 for people on the special drugs program. The Canadian Cystic Fibrosis Foundation has sent you a brief outlining the very serious negative impact this kind of fee could have not just on the health of cystic fibrosis patients but also on their ability to be productive members of our society. CF patients and their families, Minister, as I'm sure you are aware, already have to pay for vitamins and nutrition supplements, for oxygen and for special equipment involved in their treatment. Their budget bills are stretched absolutely to the limit to cover the cost of this illness, which strikes patients literally before they're born and is with them until they die. Minister, have you considered the impact of this policy option on the lives of CF patients and their families?

**Hon Ruth Grier (Minister of Health):** First of all, let me say to the Leader of the Opposition that I'm very well aware of the impact of cystic fibrosis on the lives of patients and their families and of the need for special drugs, and in fact have made it clear to all of those suffering from this disease and to their associations that the drugs would be continued to be supplied to them under the special drugs program.

With respect to the options for reforming our overall drug benefit program, the member is correct: We have put forward a number of options for discussion. We received a great deal of response to those options, and that consultation period ended at the end of September. We're reviewing very carefully all of the submissions made to us and very carefully all of the impacts, which in many cases perhaps were pointed out to us by special groups—I'm not particularly talking of cystic fibrosis—that we might not have been aware of. Everything is being carefully considered, and I'm not in a position at this point to be definitive about the actions that will flow from that consultation.

**Mrs McLeod:** The cystic fibrosis foundation is extremely concerned that the kinds of changes you are contemplating at this point could force young adults to leave their jobs to go on social assistance because they won't be able to afford the costs of the copayment you propose. You are surely aware that we have taken pride as a province in being a world leader in cystic fibrosis research. Many of the drugs and treatments that are available to improve the quality and the length of life of CF patients are available because of the pioneering research and because of the efforts here in Ontario. I find it hard to believe that in this province where so much work has been done, you could even be considering a policy that would limit the ability of victims of cystic fibrosis to lead full lives for as long as possible.

The goal of your drug reform proposal is supposed to be to develop a drug program that achieves equity, cost-effectiveness and social compassion. How are these goals promoted by a policy that would hurt chronic sufferers of this terrible illness and that will potentially force young adults to leave their jobs in order to receive the drugs they need?

**Hon Mrs Grier:** I would ask the Leader of the Opposition not to portray proposals in a discussion paper as though they were fact, because I share with her a concern about the depth of worry that can sometimes be caused and that has been caused to the cystic fibrosis community as a result of a consultation paper.

When I said to her that we were considering all of the responses and were going to be extremely careful that no action that we took inhibited the ability of anybody suffering from a catastrophic disease to live as full a life and as productive a life as they possibly can, I meant what I said. The objectives of our examination of the current program are to ensure that in fact as many people as possible can be covered, because there are many people in this province suffering from catastrophic diseases who have not had coverage available to them.

We have a very open-ended drug benefit plan which covers very effectively some people in the province and covers not at all other people in the province. Our objective as we reform that system is not to un-cover some categories of people who cannot stand to afford their own drugs, but also at the same time it is to see how we can extend eligibility to those people who now have no coverage at all.

1440

## LEGAL AID

**Mr Charles Harnick (Willowdale):** My question is to the Attorney General. It was reported in this morning's Toronto Sun that a convicted drug dealer would be using the legal aid system to fund his application for refugee status in Canada. Minister, can you confirm that convicted criminals can be eligible to use the legal aid system to finance their immigration applications?

**Hon Marion Boyd (Attorney General):** It is my understanding that the rules that apply in each area of legal aid apply to anyone who is eligible under that area, and I don't believe there is a prohibition in that regard. However, I should tell the member that because I'm not clear on that, I have asked for advice on it and have not yet received it. I will be happy to let him know.

**Mr Harnick:** I'd appreciate that from the Attorney General.

Attorney General, it was reported that the appeal process for this convicted criminal could cost the legal aid system up to \$25,000. Do you think it's right that the people of Ontario should pay the legal fees for an individual who has been convicted of heroin smuggling so that he could remain in Canada?

**Hon Mrs Boyd:** My understanding is that that estimate is just well beyond the bounds of what we normally see. The average of the legal aid claims for any kind of refugee claim is only slightly over \$1,000 per client.

**Mr Harnick:** Do you think it's right, Marion? Do you think it's right, even if it's a penny?

**The Speaker (Hon David Warner):** Order, the member for Willowdale.

**Hon Mrs Boyd:** I have two concerns about this. One would be that an estimate of \$60,000 would be given for an issue like this, because it is way out of line with the



average cost. The other is the issue that the member has raised: whether or not it is appropriate for a convicted criminal to have access to legal aid.

I would remind the member that in many cases, people going through the legal system have convictions in one area, are fighting convictions in other areas and, yes, remain eligible for legal aid. That is an issue we need to clarify in terms of eligibility with the law society. The member is well aware that the Ontario legal aid plan—

**The Speaker:** Could the minister conclude her response, please.

**Hon Mrs Boyd:** —is not run from my ministry but is run by the Ontario legal aid plan itself, and that plan is devised by lawyers to ensure that there is equal access by anyone who requires it to the legal system in the province of Ontario. That I do support.

#### INTERPROVINCIAL TRADE

**Mr Stephen Owens (Scarborough Centre):** My question is to the Minister of Economic Development and Trade. Last week in the Quebec National Assembly, the minister of labour, Gérald Tremblay, was asked a question with respect to the Quebec labour mobility issue. He responded that he has tried to meet with you several times, that his deputy has tried to contact you through phone calls and letters, and he says, Minister, that he can be in Toronto on 24 hours' notice. Minister, can you tell this House whether this is the case? Are you aware that he is trying to reach you? Secondly, what have you done with respect to this issue?

**Hon Frances Lankin (Minister of Economic Development and Trade):** I believe the member's question is with respect to M. Tremblay, the Minister of Industry, Trade and Technology in Quebec. In fact, I have read accounts of his statements in the National Assembly. I read them with some amusement, actually; I think there's a bit of smokescreen being put up there to protect the Quebec government's lack of action with respect to bringing down trade barriers.

I can assure the member that discussions took place at the deputy level to ascertain whether or not a meeting would be useful prior to the announcements I made. We offered to have a discussion between M. Tremblay and myself to determine the usefulness of a meeting, the agenda of a meeting. That discussion didn't take place, and that was at the decision of M. Tremblay.

I would suggest, however, that since Ontario took the steps to make the announcements we did with respect to retaliatory actions to the province of Quebec on the issues of construction contracts and labour mobility, in fact we have had exchange of correspondence in which Ontario has suggested that we would be more than open to a meeting and that as soon as Quebec is ready with a new position, we would be pleased to meet with them.

**Mr Owens:** Last week, Minister, you may be aware that a summit on construction was held in the province of Quebec which included workers, employers and members of government. Was this issue of labour mobility raised? Is it resolved or is it on the way to being resolved? Can you tell the construction workers in my riding what your sense of this dispute is?

**Hon Ms Lankin:** Of course Ontario had representation at the construction summit, and we were monitoring discussions of these topics and whether there was any movement on these issues. I can say from those initial reports that in fact there was not progress on the issue of labour mobility, with respect to a resolution, at least. A committee has been struck, coming out of that summit, which will continue to look at this issue in its own time line: It's targeting a response by March 1994.

I think we indicated, at the time we brought forward the actions that I announced, that we were concerned about the length of time that it would take as the summit progressed into committees and subcommittees and discussion. That appears to be what's happening. I hope, however, that the committee works in an expeditious way and that in fact it can bring some resolution to this issue that will resolve the issues for all of us. I just repeat, and these are the last words, that the overall goal of the government of Ontario is in fact to bring down trade barriers.

#### HOSPITAL BEDS

**Mr Steven Offer (Mississauga North):** I have a question to the Minister of Health. My question deals with our war veterans and your commitment to provide high-level chronic care beds to them at Sunnybrook hospital. You must be aware that the Ontario government has agreed to provide 400 chronic care beds for our veterans at Sunnybrook hospital, which, let us remember, started out as a veterans' hospital.

I've had discussions with a Mr Jim Margerum, who is the chairman of the veterans' services committee for the Ontario Command of the Royal Canadian Legion. He has indicated to me that you have allowed 45 of these specially allocated beds to be closed and not reopened. There are 165 war veterans on the wait list at Sunnybrook hospital. They need the use of these beds, yet you continue to allow them to remain closed. Will you today commit to this Legislature and to our war veterans that these badly needed beds will be reopened?

**Hon Ruth Grier (Minister of Health):** I am well aware of the issue and since becoming Minister of Health have had two meetings with Mr Margerum and representatives of the Royal Canadian Legion. This has been a matter of debate between the Legion and Sunnybrook and it has been, I think, two months since I was last informed as to the state of the discussions between Mr Margerum and the hospital around this issue. I would like, if I may, to take the member's question as notice, look into the situation and be as up-to-date as I can, because I realize only too well how very much this issue means to veterans and to all of our seniors across the province, and I'd like to be sure of my facts when I respond to the member.

**Mr Offer:** By way of supplementary, these 400 beds were allocated to our war veterans in recognition of their needs and their commitment to this country. The freedom which we have today is due in no small measure to those who fought in previous wars. Minister, you will be aware that there is an agreement in force by the Ontario government to provide 400 beds at Sunnybrook hospital for our war veterans. You will be aware that you are not providing those 400 beds.

Sadly, I was informed today by Mr Margerum that just last week two more of our war veterans died without getting off the wait list at Sunnybrook hospital. You have refused today to commit these beds to our war veterans to being open. I have also spoken to Mr Margerum, who has indicated that you are not meeting with those who do wish to meet with you, and so you have not committed to reopening these beds. I ask you, will you at least commit today to meet with Mr Margerum and to representatives of the Ontario Command of the Royal Canadian Legion and to settle this issue for our war veterans?

**Hon Mrs Grier:** I think I indicated in my response to the first question that I had in fact had some meetings. I was aware of the issue and I was not making a commitment today because I wanted to be sure of all of the facts, where the discussion was and to remind the member that the federal government, through Veterans Affairs, has a role to play in this and this is a discussion that has been going on for quite some time. It is not a new issue for either the Legion or the ministry. I agree with him that it's one that needs to be resolved and I have given him my commitment that I will undertake to do that and get back to him as soon as I have an opportunity.

1450

## EDUCATION FINANCING

**Mrs Margaret Marland (Mississauga South):** My question is for the Minister of Education and Training. Last year, the Peel Board of Education had to slash its English-as-a-second-language program in response to reduced provincial transfer payments. The board cut 105 ESL teaching positions. ESL support was eliminated for elementary students at the emerging learner level, which the board defines, and I quote, as, "English communications skills are beginning to develop, but continued support is necessary to achieve academic proficiency."

Support at this level was also cut in half for secondary students, but at the same time the board's grants for heritage language programs was \$646,000. Heritage language instruction is mandatory as a result of Bill 5, which was passed by the Liberal government in 1989. Province-wide heritage language programs cost \$15.6 million last year.

My question, Minister, is this: If Peel cannot afford adequate ESL training for immigrant students, how can you require the board to provide Saturday classes in 28 heritage languages for elementary students?

**Hon David S. Cooke (Minister of Education and Training):** There's no doubt at all that the English-as-a-second-language programs in this province are absolutely essential. Along with the boards, we're doing the best we can given the financial constraints that we're all living under. That's simply a reality. We can't spend as much money as we would like to spend because we all have financial constraints.

I would fundamentally disagree with the member that on the one hand we should be putting more money into English as a second language, but on the other hand, we should be pulling out resources from our heritage language, or as it's now called, the international language program, which is really a fundamental basis for this

province if we're to move ahead economically. We have to develop other language capabilities within this province. It's not just a matter of heritage languages. The fact is, a lot of the students who are taking these programs are not even students from the particular ethnic group which the program is being provided for.

International languages is quite a different concept than the member seems to understand. I don't really understand her rationale for saying that money should be pulled out of the international language program to fund another program.

**Mrs Marland:** If you can't afford to fund them in English or even French, for that matter, the two official languages, I don't know how you can talk about 28 other languages. It doesn't make sense.

Last spring, the Ontario Council of Sikhs in Peel region asked the provincial government to protect ESL programs from cutbacks. In Peel, ESL cuts were part of a massive budget reduction caused by reduced provincial funding. When boards have cut administration to the bone and essential programs like ESL, and special education, I may add, when these programs are threatened, the province must consider other non-essential programs that can be reduced instead. Minister, we're talking here about a non-essential program. We're simply asking you to prioritize.

My question is, if one of those non-essential programs is heritage language education but it's mandated by the province, why would you not consider rescinding Bill 5 so that school boards can choose whether to provide heritage language education or English as a second language or special education? Let them make the priorities, Minister, and not have this mandated by the province: 28 foreign languages instead of English or French.

**Hon Mr Cooke:** I go back to what I said and that is that the international language program is in our view a very important and essential program in this province as well.

I think it's important that the member has decided to ask this question this week, the week after her federal government has been defeated, because the essential point this government has been making to the federal government is that this province has not received anywhere near its fair share in terms of dollars to assist on questions like English as a second language for new immigrants to this province. The fact of the matter is that about 65% of the people who immigrate to Canada end up coming to the Metropolitan Toronto, greater Toronto area and the Ottawa-Carleton area, and we get virtually no money from the federal government to try to assist in providing very substantial programs to help people settle.

If the member wants to be particularly helpful, she might suggest that this is a responsibility of the federal government, and all Ontario wants is the same kind of money for immigration that the rest of the provinces get. When we get that, we can address the problem that the member has raised.

## HEALTH CARE

**Mr Robert Frankford (Scarborough East):** To the Minister of Health: Medical authorities have been con-



tending that we could safely change the regulation requiring routine preoperative blood and urine testing and that this regulation change is actually now taking place. I was particularly impressed by the initiative of Dr Jerrold Lerman at the Hospital for Sick Children in putting the case that routine testing was not necessary.

Could the minister tell us how much money the decision to change the regulation will save and how she will be communicating the decision to hospitals and physicians?

**Hon Ruth Grier (Minister of Health):** The regulation the member refers to is one that has been in place since 1968. The member is correct, of course, that a number of health care experts have challenged the need for routine preoperative testing. The regulation that makes that a requirement was changed effective September 30, 1993. So now decisions regarding the need for these tests are left to the providers, as well as the hospitals, who are responsible for ensuring that appropriate pre-operative testing occurs.

Let me say to the member that the focus on this change was not primarily on cost savings; it was with respect to quality of care, because there's a growing acceptance that quality of care is strengthened if testing is done only as needed, as opposed to on a routine basis. But it is recognized that there will be some cost savings from both minimizing unnecessary testing and freeing up the facilities for other tests that are in fact necessary.

**Mr Frankford:** Minister, this is a very welcome decision that will help more rational and economical use of the health care system without jeopardizing clinical care. I'm sure there are other areas of current practice where critical re-examination can also produce substantial savings.

I was very interested to read this weekend of a new study by a Toronto group, reported in *Lancet*, suggesting that we should reappraise some investigations being done in relation to cardiac disease. I hope there'll be some savings there.

Can the minister inform us of any areas of clinical practice where she feels similar savings could be made with the same lack of jeopardy to the health of the public?

**Hon Mrs Grier:** We are continually searching for new ways to improve the quality of our health care and to better manage this complex system that we are all so very proud of in Ontario. That's one of the reasons I'm so pleased that we have the Institute for Clinical Evaluative Sciences. As the member says, this weekend we've had a result of one of its reports which examined current practices from the perspective of both minimizing inappropriate utilization of services as well as strengthening the quality of care.

Let me assure the member and the House that I look forward to the continuing work of that institute and to working with the profession and the institutions to ensure that we improve the quality of our care at the same time as we manage the system better and maintain the costs.

**The Speaker (Hon David Warner):** New question, the honourable member for St Catharines.

**Mr Gregory S. Sorbara (York Centre):** What was it that Mel Swart said?

**Mr James J. Bradley (St Catharines):** I'm not speaking about what Mel Swart said Friday.

#### CONSERVATION EASEMENTS

**Mr James J. Bradley (St Catharines):** My question is about agriculture and it's to the Minister of Agriculture and Food. Farmers across the province of Ontario, and in particular in the Niagara Peninsula, are experiencing very difficult economic times, as the Minister of Agriculture well knows. Many of them are financially holding on by their fingernails at this time, partly because of inaction on some of the programs by the government.

Would the minister inform the House why he has not announced the highly touted conservation easements program, which would allow farmers to stay on the land and at long last make a decent living?

**Hon Elmer Buchanan (Minister of Agriculture and Food):** The answer to the that question is fairly straightforward. During periods of restraint, we were unable to find the necessary money to start that program this year. We as a government still support the concept behind conservation easements, as does the regional government and as do many of the farmers down in the Niagara region. But we were unable to find the money to finance that particular program this year. However, we do support it and I'm hopeful always that we can find the money to fund that program for next year.

1500

**Mr Bradley:** The minister would be aware that local authorities are being pressured by individual farmers and by farm organizations in fact to grant severances which, if granted, may ultimately have the effect of eliminating prime agricultural land in an area which has a rather favourable climate.

Members of his party, including Stephen Lewis, when the columns used to be in the *Globe and Mail* and this was on the CBC every day, talked about the preservation of agricultural land in the Niagara Peninsula.

I'm going this evening to the Niagara North Federation of Agriculture annual meeting, and I'd hoped to be able to bring to that meeting an announcement from the minister in regard to the conservation easements. My question is, would the minister assure the House that I may go to that meeting this evening and give an undertaking to those who will be assembled there that in fact you will be going to the next cabinet meeting to put forward the case for the immediate implementation of conservation easements in the Niagara Peninsula?

**Hon Mr Buchanan:** That sounded more like a fishing expedition than it did like a question. I would not want to mislead the member. He can go to the meeting tonight and tell them that we are working towards having a program that can be implemented for next year, which is what I said in my first question.

I think what he does need in addition to that is to talk to the farmers in the Niagara region about community economic development and those programs that this government has put in place which will allow Niagara area farmers and other entrepreneurs to come together to

look at how they can get some value added dollars out of, in this case, the peach crop they produce down in that region.

There's a lot of work that could be done to get a higher return back in the farmers' pockets, which is above and beyond the concept of conservation easements, which, to be quite honest, is just a stopgap measure for a few years. It will not solve the long-term problem, which is to get a bigger return from the sale of tender fruit back into the hands of the farmers in the Niagara region.

#### JOB CREATION

**Mr Norman W. Sterling (Carleton):** I have a question for the Treasurer. Mr Treasurer, where does your government stand with regard to the helicopter purchases by our federal government?

**Hon Floyd Laughren (Minister of Finance):** That's a very interesting question from the member for Carleton. The member for Carleton I suspect followed the federal debate with some interest during the recent federal election and heard the federal leader of the New Democratic Party talk about alternative ways of spending that kind of money, and spreading it of course, allocating it in a fair and judicial way across the land.

**Mr Sterling:** Well, Computing Devices of Nepean could lose \$120 million over 10 years to produce sonar buoys for underwater equipment designed to detect submarines. Atlantic Research Canada of Gloucester could lose \$35 million. Loughheed Canada of Stittsville could lose \$58 million in contracts. Canadian Marconi of Kanata could lose \$12 million in contracts. Haley Industries of Renfrew could lose \$3.2 million to \$11 million. CAL Corpor would lose \$750,000 in electronic welfare. There are also a number of other high-tech firms in the Ottawa Valley which will lose significant high-tech, important research-developing jobs.

While Quebec and Nova Scotia have clearly stood up and talked about the job losses for people in their provinces, where is the province of Ontario speaking up for the loss of jobs for the people of the Ottawa Valley and the rest of the province of Ontario?

**Hon Mr Laughren:** Surely to goodness what we're talking about here is not whether or not Ontario and other parts of Canada need job creation; we obviously do. That's why this government has been calling for the federal government to sit down with us in a spirit of cooperation and work out an infrastructure program in which we would share the cost of such a program. That doesn't mean that whatever idea the federal government comes up with is necessarily the right one. The jobs that are created have to be for the right reasons.

You heard us say loudly and clearly in the recent federal election that helicopters were not the priority of the federal New Democrats, and I share that view. At the same time, all of us, I think, would agree that at least if not more than equivalent number of jobs must be created throughout Canada. I can tell you that given the record of the previous federal Conservative government vis-à-vis Ontario, they've got a lot of catching up to do to support job creation in this province.

#### PETITIONS

##### TEACHERS' DISPUTE

**Mr Ernie L. Eves (Parry Sound):** I'd like to introduce a petition addressed to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"To legislate the east Parry Sound elementary teachers back to work and/or order the case to binding arbitration with the East Parry Sound Board of Education."

I've affixed my signature thereto, as the MPP for Parry Sound riding. This petition is signed by some 455 east Parry Sound residents on this, the 18th instructional day of the strike.

##### OPP DETACHMENT

**Mr Larry O'Connor (Durham-York):** I'm bringing this petition forward on behalf of my constituents who are concerned about the preservation of law and order in their community. The residents are concerned about an article that appeared in the September 14 issue of a local newspaper that appeared in Brock, which threatened Brock residents they might lose their OPP station.

The petition to the Legislative Assembly:

"Whereas the Beaverton OPP station has had a long-standing, integral part in the Beaverton area; and

"Whereas many officers have established permanent homes in the Beaverton area and have become strong voices in volunteer and non-profit groups; and

"Whereas the OPP station provides an economic benefit to the Beaverton community; and

"Whereas the OPP station provides a much-needed policing presence;

"We, the undersigned, petition the Legislative Assembly as follows:

"We demand that the government of Ontario maintain the OPP station at Beaverton, as the closure would be detrimental to the interest of the security, safety and the wellbeing of all the residents in the township of Brock."

My hat goes off to the detachment commander, Jim Adams. His officers helped organize a car rally this weekend to raise funds for the women's shelter, Sandgate, in the community of Georgina.

##### PROCEEDS OF CRIME

**Mr Gary Carr (Oakville South):** I have thousands of petitions from the constituents of Oakville South, which say:

"To the Legislative Assembly of Ontario:

"Whereas criminals can currently derive profit from the sale of recollections of their crimes; and

"Whereas criminals can also derive profit for interviews or public appearances; and

"Whereas this can cause suffering for crime victims and their families;

"We, the undersigned, demand that private member's Bill 85, Proceeds of Crime Act, 1993, be passed into law."

I've signed that myself.



## INTERNATIONAL TRADE

**Mr Drummond White (Durham Centre):** I have here a petition signed by many people in my constituency—people who've been unemployed, people whose economic future has been savaged by NAFTA and the Canada-US free trade. It reads:

"Whereas we feel the Canada-US free trade deal has done immeasurable damage to the economy of the province of Ontario, causing the loss of more than 45,000 jobs in Ontario alone; and

"Whereas we feel that the proposed North American free trade agreement will have an even more devastating effect on Ontario resulting in a loss of not only more jobs but also a reduction in our environmental standards, our labour standards, our workers' rights and our overall quality of life;

"We petition the Legislature of Ontario in Toronto to fight this trade deal with whatever means possible, and we further petition the House of Commons in Ottawa to stop this deal right now and to live up to their commitments."

It's signed, as I mentioned, by many people in my riding such as Martha and Milton Halpenny, Kingsley Welton, and I affix my signature thereto.

1510

## REHABILITATION OF OXBOW CREEK

**Mrs Irene Mathysen (Middlesex):** I have a petition here from members of my constituency from the Melrose area who are responding to a planned rehabilitation of Oxbow Creek by the Ministry of Natural Resources with this petition that reads:

"We, the undersigned, are opposed to the rehabilitation plan of Oxbow Creek. More particularly, we feel it will infringe upon livestock owners' rights and lead to trespassing and related imposition to area land owners."

I respectfully present this petition.

## INTRODUCTION OF BILLS

## ASSESSMENT AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT LA LOI  
SUR L'ÉVALUATION FONCIÈRE

On motion by Mr Ferguson, the following bill was given first reading:

Bill 112, An Act to amend the Assessment Act with respect to golf courses / Projet de loi 112, Loi modifiant la Loi sur l'évaluation foncière en ce qui a trait aux terrains de golf.

**The Deputy Speaker (Mr Gilles E. Morin):** The member for Kitchener, would you please verify if you have some other copies? These are not the proper ones I should receive. Does the member for Kitchener have any comments to make?

**Mr Will Ferguson (Kitchener):** Very briefly, the current Assessment Act leaves a lot to be desired, because one section of the act as it pertains to golf courses very much leaves the golfers on the green and the taxpayers in the sand trap.

For quite some time, municipalities have had the ability to freeze the assessment for privately owned golf courses, and many exercised that option back in the

1960s. Many municipal councils don't feel bound by previous councils and wish to change the act. My municipality has lost about \$100,000 in revenue as a result of freezing the assessment on a golf course in Kitchener.

The purpose of the act would be to give the municipality at least the option to get out of this deal and to negate a previous deal that was signed by a previous municipal council.

PUBLIC SECTOR EXECUTIVE COMPENSATION  
DISCLOSURE ACT, 1993LOI DE 1993 SUR LA DIVULGATION  
DE LA RÉTRIBUTION DES CADRES  
DANS LE SECTEUR PUBLIC

On motion by Mr Stockwell, the following bill was given first reading:

Bill 114, An Act to provide for the disclosure of Executive Compensation in the Public Sector / Projet de loi 114, Loi prévoyant la divulgation de la rétribution des cadres dans le secteur public.

**The Deputy Speaker (Mr Gilles E. Morin):** Do you have other forms in your hands?

**Mr Chris Stockwell (Etobicoke West):** I sure do. I am not certain exactly how many forms you should get.

**The Deputy Speaker:** Do you wish to make any comments, the member for Etobicoke West?

**Mr Stockwell:** I think everyone would be in support of this, considering the announcement made by the government just recently with respect to compensation review for the private sector, so I would ask for unanimous consent for second reading.

**The Deputy Speaker:** Introduction of bills?

**Mr Stockwell:** Can't I ask for unanimous consent?

**Mr Steven W. Mahoney (Mississauga West):** You can ask.

**The Deputy Speaker:** Were you asking this? Were you serious?

**Mr Stockwell:** Because the government announced the plans a couple of weeks ago with respect to publicizing the private sector payroll of senior officials and my bill is simply doing the exact same thing, which is publicizing the payroll of government officials, I would assume they would agree. That's why I asked for unanimous consent on second reading.

**The Deputy Speaker:** Is there unanimous consent? No.

## ORDERS OF THE DAY

PROVINCIAL OFFENCES STATUTE LAW  
AMENDMENT ACT, 1993LOI DE 1993 MODIFIANT DES LOIS  
EN CE QUI CONCERNE  
LES INFRACTIONS PROVINCIALES

Resuming the adjourned debate on the motion for second reading of Bill 47, An Act to amend certain Acts in respect of the Administration of Justice / Projet de loi 47, Loi modifiant certaines lois en ce qui concerne l'administration de la justice.

**Mr Gordon Mills (Durham East):** It's a pleasure to rise here today to talk to Bill 47, An Act to amend certain Acts in respect of the Administration of Justice,

and in particular with respect to photo-radar. Having some knowledge of photo-radar and having worked with this, I think this afternoon I'll be able to add some insight to this debate that would be of benefit to this House.

I'm quite disappointed that the member for Nepean is not here this afternoon, because when he was speaking I vowed to convert him to supporting this bill, and he's not here.

**Mr Frank Miclash (Kenora):** He'll watch it on TV.

**Mr Mills:** I would much rather that he'd been here in person, but my friend and colleague from the north says he's going to watch it on TV.

Earlier, on October 21, my colleague and friend the member for Windsor-Sandwich and also the parliamentary assistant to the Minister of Transportation gave this House some very frightening statistics. He said that the human price of highway collisions is more than 1,000 people killed every year and 90,000 people who are injured annually. He said, quite rightly, and I agree, that this is not acceptable in a caring society, and particularly not today.

If you add the human cost of that, the social cost of health care, insurance rates, property damages and lost wages, you see the massive scope of the problem we face. Collisions on our roads cost Ontario more than \$9 billion every year, and that's scary. It's very disheartening and scary.

I'd just like to say that this carnage on our highways has got to be stopped. It would seem to me that the conventional method, with police patrols, is not working as it should. I know that I have a lot of constituents who have to journey at different times to Toronto to get medical attention at some of the hospitals there, and they're absolutely terrified and can't face the consequences of driving into Toronto via Highway 401, and that isn't right. That is a scary situation.

I'm sure that in this House we represent many constituents, most of them in their later years, who are absolutely terrified to get behind the wheel of a car and drive on one of our multilane highways, be it the 401, the 400, the 403, the 35, the 115 or whatever it is. I think such a situation is absolutely diabolical. We shouldn't have this. Our citizens should not be frightened to drive on the highway.

1520

I think that as a government, as legislators here, we all have some job to do to make this right, because I'm telling you, Mr Speaker, if this sort of thing was happening through the dispensation of a drug or a food or whatever, that we lost 1,000 people a year and maimed another 90,000, we would have so many people in front of this Legislature—

**The Deputy Speaker (Mr Gilles E. Morin):** Excuse me for a moment. I would like to inform the members of the assembly that we have in the Speaker's gallery today Mr Gagik Harutunian, vice-president of the Republic of Armenia, accompanied by the Armenian delegation. Welcome.

**Mr Steven W. Mahoney (Mississauga West):** There are more of them than of us.

**Mr Mills:** It's nice to see the folks from overseas here watching this. I wish there were more Tories here, but there aren't. Anyway, I'm not going to get political.

This carnage has got to stop. I don't know about the people who are watching, but I drive the 401 and 400 quite frequently and when you see the lights flashing and someone's got the wind that there's an OPP car somewhere, miraculously everybody starts behaving and it becomes such a pleasure to drive. Everybody signals when they're going to turn, they keep the speed and right away you feel comfortable driving. You feel safe and you're secure. I say to myself when I see that happening: "Why on earth can't people drive like that all the time? Why do they act so idiotic?" Then, sure as the dickens, you pass the cruiser and then everything picks up again and we become threatened.

I must say that when people keep the speed limit and drive carefully and signal their intentions, it's a pleasure to drive on our highways. It should be like that, not only when there's a cruiser by the road or someone suspects that the police are around, but it should be the way of life, the way we operate.

We all come to this Legislature from different backgrounds. I think it's very good that we do. We bring different perspectives to the debate here, and through our life experiences and those different perspectives, we encourage those who don't see our way to legislation to come on side. I sat here the other day and I listened to the lawyers here talk about all the problems they saw with Bill 47 and how they sort of built in all these obstacles. We know lawyers; they can talk up a storm. I must say, I'm sure there were a lot of people watching who were very confused about Bill 47, when really it isn't confusing at all.

We heard those folks talk and then we heard the member for Don Mills, who's an entrepreneur type of fellow. He spoke about the impact on business, on car rental agencies etc, so we had his point of view to discuss. Like my friends the lawyers, the businessmen, I have a perspective I'd like to bring to this debate this afternoon in that I have had experience with photo-radar, and perhaps more importantly of all, I've investigated, as a police officer, numerous fatal accidents.

I can tell every member in this House that when you investigate a fatal accident it's not very nice. It really gets to your heart. It upsets you. You can't eat. If you have any sort of empathy with the victims, it's an awful job. I don't know if there's anybody in this House today who sits in this 35th Parliament who has had the awesome task of knocking on someone's door and telling that person a loved one has passed away in a traffic accident. It's not pleasant; it's awful.

I can tell you that as an investigator of fatal traffic accidents, it doesn't end there. There's another step, because the next day the investigating officer has to attend the post-mortem and that is absolutely a terrible thing to have to work with. You have to do that because the pathologist or the coroner wants your opinion in case he comes up with some sort of injury that is not consistent with the accident. He'll say, "Well, I want to hear about the accident."



I can tell you that I still remember the first one I attended. I was in a little room at a British military hospital in Isolohn in Germany where they used to carry out these post-mortems. I remember standing back to the wall as far as I could go and pressing, because I didn't want to see and I didn't want to be a part of it, but a part of it I had to be. I can tell you that when I left that place that afternoon, it had an impact on me that has stayed with me to this day, and that's almost 30 years ago.

When I drive the 401, the 400 and these other highways, and I see people driving in such a stupid way, my mind flashes back to Isolohn and what I saw that afternoon. Under my breath I say to myself, "All you idiots on the road, all you people who don't want to obey the Highway Traffic Act, you should be forced to attend a post-mortem examination of a traffic accident victim, a fatal accident." It has a very sobering effect on the mind, and when you leave that place, you drive along very carefully. As I came back from Isolohn that afternoon in 1966, I drove very carefully.

I investigated one terrible accident in 1966. Even as I stand in this Legislature this afternoon, I can see the pictures of the victims and the carnage that took place there. That carnage was caused solely by excessive speed and nothing else. In this incident, a car was going down the autobahn and it ran into the back of a truck. The truck, by the driver's own admission, was doing 125 kilometres an hour. This car—no brake skids, no marks at all—drove right under the back of the truck, decapitating the two people in the car. That scene is still in my mind today and it's almost 30 years ago. That's why I'm such a proponent and such an advocate of photo-radar, because I've seen how it works and what it does.

We've heard that photo-radar is Big Brother looking at us and all kinds of things. I would hazard a guess that the families of victims who have been involved in fatal accidents would say to me today, "If photo-radar had been around and slowed down my son or my daughter or my husband, I would have been glad to see that."

When I was serving in Europe, we had accidents that you wouldn't believe. People get into bad habits. They have a habit in Europe, believe it or not, of passing in the middle of a two-lane highway. There is traffic coming this way, traffic coming that way and they pass in the middle at speeds of 100 kilometres an hour. It didn't take long, unfortunately, for we copy bad habits, and I remember going over there and seeing the Canadian folks emulating that. They started driving down the middle. It wasn't any wonder that we had people sailing through windshields and hanging up on trees, and goodness knows what all.

Then came photo-radar. Photo-radar had such an effect on the driving habits in the area where I was that it was unbelievable. The German police would phone and say, through an interpreter, "Come down; we've got all these photo-radar things we want you to look at." I used to go down and get them by the armful. We had a particular registration system in Europe that was peculiar to Canadians. The Germans couldn't access it, so obviously they couldn't tell who was driving, the offenders, on their photo-radar. They used to bring these reports to us and I

would go about deciphering who these people were.

I heard the lawyers over there. I can't believe what they said. I think the member for Willowdale said: "You lend your car, and then under this legislation the person who owns the car is responsible for the speeding infraction. Good Lord, you might lend your car to someone and then you get this and you scratch your head and you say, 'Now, I wonder who I lent that to.'" What nonsense. I've never heard anything so ridiculous.

Here we have a car, which next to the purchase of a house is the most expensive piece of equipment that most ordinary people will buy in a lifetime. The member for Willowdale was telling me that you lend it and then a couple of days after, when you get the summons, you can't remember who you lent it to. I say balderdash.

1530

Anyway, to get back to my experience, I used to go down to the German police station and get these things, sit down, go through the registrations, call up so-and-so: "I want to see you." "Okay, what's it about?" "I'll tell you when you get here." So he comes down and I have the photo-radar document in my hands and there it says time, date. You've got a picture of the car, you've got a picture of the licence plate, and over top of all this, superimposed, you've got a speedometer and it stops right where that speed is happening.

Anyway, I get these fellows down there and I say: "Were you driving your car on such and such a day on such and such a highway? Yes? Okay, I've got some bad news for you. Look at this." He says, "Oh, crumbs, what's this going to cost me?" I say, "It's going to cost you plenty. And not only is it going to cost you, but it's going to cost you an offence report." And you, Mr Speaker, know all about that. "It's going to cost you an offence report in addition to that."

And then I had people come down and they'd say, "Well, I wasn't driving my car that day." So I'd say, "Well, who was?" They'd say, "I lent it to my son," right off the bat. And I'd say, "Well, this is what your son was doing on this day," and the speed. And he'd say: "Well, I can tell you, Sergeant, what's going to happen. He will not borrow that car any more. Thank you very much for letting me know."

I never saw one person I confronted with photo-radar evidence who didn't know, if he wasn't driving the car, who was. So I say to the member for Willowdale—there are no Conservatives here; what a shame—that he doesn't know what he's talking about when he says you can't remember where you were.

With the big pile of photo-radar, they got the message. You don't hit anybody on the head or in the pocketbook with some money before it starts getting through. That big pile started getting smaller and smaller and smaller until, guess what. The accidents dropped off. We weren't going to so many fatal accidents as we used to be. People weren't passing in the middle any more; people were behaving like Canadians should do, you see. So they got the message and they did not like being touched in their pocketbooks because it had a great levelling effect on them.

I spoke briefly when the member for Nepean was talking and he was on about the United States experience. We know the Americans are patriotic people. They're patriotic. I used to drive to Florida in those days when there was a fuel embargo and the speed limit was 55 miles an hour. I can tell you that you kept to 55 miles an hour because all the Americans did too, because they felt somehow that it was patriotic to drive the speed limit and to obey the traffic laws. Goodness help you if you whistled by someone: He would give you the dirtiest look that you'd ever seen and probably shake his fist or give some other significant gesture to you that you were breaking the law.

When we got over the gasoline shortage and things came back to normal, the United States was wrestling with the speed limit, because the side-effect of lowering the speed limit to 55 was incredible. It reduced fatal accidents and other sorts of accidents in an unprecedented amount. So when the oil embargo was lifted, the American states and the President were caught in a bind. They didn't know whether to allow the speed limit to be raised or to keep it as it was. They were caught in a bind. But unfortunately, we know how lobbyists work in the United States. They lobbied the Senate, they lobbied the President, and before long the speed limit was up to 65. I think the last time I drove down there it was 75. It's scary when you drive along the highway and everyone's whistling along at 75 miles an hour. Well, 75 is the limit, but they're driving 100.

**Interjection:** A Snowbird?

**Mr Jim Wiseman (Durham West):** He's had his wings clipped.

**Mr Mills:** Right. It's awful.

Anyway, I want to spend a few minutes now trying to convince my colleagues how very important this legislation is. If you care about your constituents, if you care about people, you will support Bill 47. You will support it.

**Mr Chris Stockwell (Etobicoke West):** Oh, give me a break. That's such socialist drivel. I thought you'd give it a rest.

**The Deputy Speaker:** Order.

**Mr Mills:** There are some technical benefits to this too.

*Interjections.*

**Mr Mills:** I wish you'd be quiet. You'll get your turn. It's my turn.

One of the benefits of photo-radar is it can't be detected by the Fuzzbusters. We know that. In the States they buy them and they slow down and keep going like this, and it's safer for peace officers.

I don't know if there's anybody in this House—I doubt it—who has tried to stop a high-speed vehicle on Highway 401 or the 400. You take your life into your hands. I've tried it. It's as though you're going to commit suicide. So when the members out there say, "Why aren't the police stopping it?" it's not effective. You go on doing it.

I remember this car coming down the 400. It had a

funny licence plate. I think it said "Catch Me" or something like that. This car went whistling by me as though it was going to take off in the air. Then I got down a little way and the OPP had caught him, and I said, "There you go; they've caught him." Anyway, they write out the ticket and I'm coming out along into Whitby: "Stop Me." This guy goes by me, the same rate of speed again. So the argument that they say with photo-radar you don't stop the person and you don't tell him and he doesn't mend his ways is utter nonsense. If you're bent on speeding, it doesn't matter how many times you get stopped, you just keep going.

You try to stop these speeding vehicles in multilane highways, and it's impossible. Photo-radar will reduce the need to engage in high-speed pursuits, which endanger lives, and photo-radar will enable the police to focus their attention on traffic matters such as dangerous driving and impaired driving.

*Interjections.*

**The Deputy Speaker:** Order. If you want to hold conversations, you can hold them outside, not in the House, please.

**Mr Mills:** We heard from the opposition parties about this Big Brother: Big Brother is invading our privacy. Let's listen to what the police who use photo-radar say in Canada.

Kelowna RCMP Sergeant Donald Chadney said: "Some consider radar cameras to be like Big Brother. I don't. Driving is a privilege, not a right." And I say, "Hear, hear."

Calgary Superintendent Gerry Baxter: "We will continue to use photo-radar because we view it as the tool to assist us in making Calgary's streets that much safer."

Another one: "Photo-radar is a tool, not a replacement for current policing. It has a proven record and forces the owners of motor vehicles to take greater care when driving or in fact lending their cars."

You can see that photo-radar is quite an effective tool in reducing tragic, fatal accidents.

I've only got a few minutes left. I want to talk about the Game and Fish Act, which is included in this.

I just want to leave with the members here this afternoon some statistics on the impact of photo-radar and how it impacted after its introduction. I wish the member for Nepean were here, because he said that if I could convince him, he would support it, and boy, I'm going to convince him.

1540

**Interjection:** We'll recommend it.

**Mr Mills:** Yes. Someone should get to him.

Anyway, in Pasadena, California, photo-radar introduction saw a decrease over six years of accidents of 21%. Isn't that amazing?

**Mr Stockwell:** Where?

**Mr Mills:** Pasadena, 21%.

**Mr Stockwell:** What years?

**Mr Mills:** In West Germany, and I can speak with



some knowledge of this, in a three-year period in one location the accident rate decreased by 58%. I mean, this is absolutely phenomenal, isn't it? These statistics are mind-boggling. At another location in West Germany, over 19 years—he says, “What year was it?”—the decrease in accidents was 62%. In another spot in West Germany in a three-year period, the accident rate decreased by 61%. At another location—

*Interjection.*

**Mr Mills:** I'm speaking from the heart. I haven't discussed this with the minister at all. I have a passion for safety, believe you me. I've seen it. You haven't seen anybody in a fatal traffic accident. You've never attended a post-mortem. I have, and it hits you here. I'm speaking from the heart. I'm not mimicking what the minister told me. He doesn't know what I'm going to say.

Now, to get back, another location in West Germany in a three-year period saw a decrease in accidents of 89%, and another one in West Germany, over 19 years—the member for Etobicoke West, we're talking about 19 years here—there was a decrease in accidents at this location of 100%. This is Big Brother: 100%.

I just want to follow up on what traffic accidents cost us. You know, I come along the 401 into Toronto from my riding, Durham East, and sometimes the traffic comes to a dead stop. I think, “Oh, golly, what's going on now?” I find out that some nitwit has gone so fast—and we see them all the time. You see them in the mirror. I say: “Here comes one—whoof. Here comes one—whoof.” And eventually they come a cropper; there's an accident and then we're all backed up on the 401. Not 10 minutes, not one hour: three hours we're backed up.

Do you ever think about the people who have lost three hours' employment, the people who are going to the doctor, the people who are going to hospital, the people who are going to see their lawyers? Goodness knows, what a tremendous waste of time, effort and money through the stupidity of a few people who think that driving a car is akin to flying an airplane. And they're all over the place. I came down here this morning and I saw two in my rearview mirror. I thought: “Here they come again. How appropriate it is that I'm speaking about this in the Legislature this afternoon.”

Let's talk about the costs. Each fatality—

**Mr Gilles Bisson (Cochrane South):** Fitality?

**Mr Mills:** I've had my teeth fixed today. Each fatality in Canada costs \$310,000.

**Mr Mahoney:** To get your teeth fixed?

**Mr Mills:** Yes. They fell out this morning.

Each injured victim costs \$3,600, and property damage only—nobody killed, nobody injured, just a good old rip-roaring smash-up—costs \$3,100. This is absolutely preposterous. Why do we put up with it? Why do we let this happen to us in a caring, sensible, modern society?

I know that when they go by me at 120 miles an hour, I feel like I could jump out and strangle them, I feel so bad about it, because this hurts me, it hurts everybody.

**Mr Stockwell:** Where do you drive and they're going 120 miles an hour?

**Mr Mills:** I have a pretty good mind to estimate speeds of vehicles, believe you me, and I've got that by a great deal of experience.

I've said enough about photo-radar. I hope I've convinced my colleagues in this House to support it. If they care about the people they represent, if they care about preserving life, they will support this legislation 100%.

Included in this legislation is the Game and Fish Act, and I just want to talk to that.

I think this makes such profound common sense. Section 3 of the Game and Fish Act says, “No person shall use a vehicle for the purpose of chasing, pursuing, worrying, molesting, killing, injuring or destroying any animal or bird.” Isn't that a caring society? Doesn't it make sense to you that we should amend and do that? I think it makes profound sense, and all those animal lovers likewise.

Finally, there's subsection 3(4), as amended, that no person shall “have a loaded firearm in or on, or discharge a loaded firearm from, a vehicle.” That is another piece of legislation that, to me—

**Mr Pat Hayes (Essex-Kent):** Long overdue.

**Mr Mills:** Long overdue, as my colleague from Essex says, and certainly it makes such a wonderful point in this House today.

So with those few words, I'm going to close off. It's a pity that there are two Tories here and two Liberals here. They should be here, every one of them, to hear what I have to say, because it's so important to this country and to Ontario.

**The Deputy Speaker:** Questions or comments?

**Mr David Johnson (Don Mills):** As one of the members of the Progressive Conservatives who is here to listen to this beautiful speech, as has been indicated by one of my colleagues, I must say I was very taken by the comments of the member for Durham East with regard to the carnage, the loss of life and the injuries on our road system in the province of Ontario. This legislation should be looked at very carefully, because it is addressed to promoting safety on our road system, and some law enforcement officials have expressed support for the concept.

But I have a concern that this legislation is primarily aimed at generating provincial revenues, much more so than at safety on our road system. That suspicion arises, I might say, because the fine money goes directly to general revenues, no extra money goes to the police in the province of Ontario, and the person driving the vehicle loses no points. I ask myself, will this be a disincentive?

I suppose if you have few resources, if you have little money to pay for the fines, then it may be a disincentive. But if you're one of those people perhaps on your way up to the cottage on a Friday night in a big hurry to go up Highway 400 and you're fully aware that no points will be lost, then I suspect it's very little disincentive. Indeed, if the police divert their resources from roads such as this and rely on the photo-radar, it may in fact be an encouragement for people to speed up and may

encourage or result in more traffic accidents rather than fewer.

I think it's a concept that is pervasive, it's a concept that is not going to achieve the result the government has in mind, and there are many other measures that should be taken instead.

**Hon Gilles Pouliot (Minister of Transportation):** I've seldom heard anyone being so committed, so passionate and yet so accurate in describing the situation vis-à-vis the proposed legislation of photo-radar. This was done by the member for Durham East, Mr Gordon Mills.

I could repeat verbatim what has been said. I can also acquiesce that there's been no briefing or discussion vis-à-vis this. This member speaks from the heart. He speaks from the heart because he cares about safety. He wishes to see an end to what some people have termed "the carnage," sees his responsibility going beyond the Legislative Assembly of Ontario. Simply put, the member is dedicated.

The member brings forward experience, not only an experience in Ontario, Canada, but also in Europe and many countries. He has seen with his very eyes that excessive speed—when people surpass, go beyond the threshold, they kill themselves only too often. They kill others as well.

Who can, therefore, be against this safety initiative which is photo-radar? How can someone be so cynical as to refer to it as a money grab on the backs of the victims? No, the member has reminded us that we're hoping to break even, that the system will just barely pay for itself. But much more important, and this is where the human dimension comes in, is the obligation and the ability of this government to do what's right, to restore some sanity on our roads. I thank the member for Durham East.

1550

**Mr Mahoney:** I also listened to the member for Durham East, and first of all I would say to the member I think it's unfortunate that when you suggest that if somebody in this House, be it in opposition or be it even in your own party—although that's not likely when the whip's put on; all the trained seals will come home to do whatever the minister says, briefing or no briefing—I think it's unfortunate that you suggest that someone does not care about—

**Hon Mr Pouliot:** On a point of order, Mr Speaker: On behalf of decorum and good manners, I cannot sit idly by and have my distinguished colleague referred to as a trained seal. I find this very offensive and I ask, under your jurisdiction, that the honourable member withdraw those offensive remarks.

**Mr Mahoney:** Mr Speaker, I won't withdraw them. I think it's a known fact. But in any event, thanks for using up a little bit of my time.

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** Oh, no, no.

**Mr Mahoney:** Mr Speaker, I'm sorry, but in any event, I wanted to—

**The Deputy Speaker:** Just a minute. Let me explain—

**Mr Anthony Perruzza (Downsview):** How many times did he vote against Peterson when he went to raise taxes?

**The Deputy Speaker:** Order, please.

**Hon Mr Pouliot:** Just remember the weasel.

**Interjection:** What's the difference?

**Mr Bisson:** That's a good point. They're both four-legged animals.

*Interjections.*

**The Deputy Speaker:** Order, please. I don't like this language. I don't find it unparliamentary. I don't like it. I've heard worse in this House. What I would ask you is to refrain from heckling. You'll have your time to debate. Take advantage of it. Would you please give back the two minutes to the member for Mississauga West.

**Mr Mahoney:** Thank you very much, Mr Speaker. I appreciate that. Since they seem to get so sensitive and upset, I can understand it. You have some difficult cans to carry, shall we say, on behalf of the minister.

I want to address the member for Durham East. I don't think that you, sir, should cast aspersions at any members in this place in relation to them not caring about reducing accidents on the highway because they either support or do not support any particular piece of legislation. Ask the question: Everybody in here in favour of more accidents and more carnage, please put up your hand. Let's not be silly here. We have some serious problems and concerns about the legislation that's on the floor. Anything that will legitimately reduce the carnage on the highways is a good thing. The graduated licensing that's going on in committee, I think there are some very positive things about it, being the father of three sons, now three young men who are past the teenage years. You live through some very scary times as a parent when you know that those kids are out there.

Does the problem go away because some camera automatically takes a picture of somebody speeding down a highway? I don't know that it does. The point has been made about the lack of accountability with regard to a point system. I don't know if that resolves it. It's our job, I say to the member for Durham East, to question the government on legislation like this, to say: "Can we not do it better? Should we not be amending the legislation? Perhaps this doesn't go far enough in some areas and it goes too far in other areas." I frankly don't think that casts any kind of aspersion on any members in this Legislature. I believe that if they honestly believed a bill would reduce accidents on the highway, they would support it. We think there are flaws in this legislation and it's our job to point them out.

**Mr Stockwell:** I echo the concerns of the member for Mississauga West. I think that's a fair comment. Anyone can stand up and debate a bill, and I don't think you should impute motives that anyone who doesn't support you on this doesn't care. That's not fair.

The next point I'd like to bring forward—

**Hon Ms Churley:** You do it all the time.

**Mr Stockwell:** They suggest that we do it all the time. If that's the case, then give examples. I've not said



that. Maybe we have a difference of opinion, but whether or not we care is not the case.

**Mr Mahoney:** Show me in Hansard.

**Mr Stockwell:** Yes. I'd like to see it in Hansard. They suggest we say it all the time. Go dig up Hansard. I can dig up dozens of times where you people have said it.

The question that needs to be asked is, how many people do you run into who worry about getting a ticket? They're worrying about the money or the demerit points. Sure, there's concern about money, but the fact is you've dealt with police when you're going to get a ticket and they knock it down so you don't get demerit points, because demerit points mean you lose your licence. Most people would be happy to pay a ticket if all they had to do was pay the ticket. The demerit points bug them because if they get too many demerit points, they go in for an interview and they lose their licence. That's a very real fact. We all know it's a fact. The cops know it's a fact. That's why they bounce it down, so you don't lose demerit points.

The second point is, you're going to set one of these photo-radar things up on the way to the cottage. I go to the cottage all the time, up the 400, up Highway 11, and I'll tell you right now, nobody but nobody goes the speed limit on the way to the cottage. Nobody. You could set that up and make thousands and thousands of dollars every Friday night and Sunday night on the way home, because nobody does the speed limit. You're not going to slow anyone down. They'll think that's just the price of going up north.

If this money was being directed to police departments and this money was being directed to stop the carnage, I'd say maybe there's debate here, but all you're doing is generating this money, putting it in general revenue and spending it wherever the heck you feel like. That's where the rub is.

**The Deputy Speaker:** The member for Durham East, you have two minutes to reply.

**Mr Mills:** I'd like to thank the members for their comments. The member for Mississauga West talks about legitimately reducing fatal accidents. I think I've read out enough statistics to choke a horse about how it reduces accidents. It reduced them by 100% in some areas. It's ridiculous to say, "Well, we don't know if it legitimately reduces accidents."

Unless you're pretty wealthy, I don't care whether there are points attached to it or anything, but once you have to pay the fine, it has a pretty big impact on the ordinary folks who have to pay a fine. I would think that is sufficient enough to deter them speeding.

I must say that I had no conversation with the minister about this legislation. I saw it coming up. I'm not connected with that ministry. I went to him and I said, "I'd like to speak to that, because I really feel so passionate about the stupidity that's going on on our highways."

The member talks about revenue. I'm sure if we could reduce the carnage on our highways—I've given you some figures here; we're talking about \$9 billion a year—the affected Health ministry and all the related services

would welcome it if we don't catch anybody. It's not revenue at all. This is about saving lives, for goodness' sake, and it's about caring for the people we live with. Good Lord, do you want to go along and see your neighbours wiped out? I think this is a piece of legislation that is very well-thought-out and to the point, and I for one want to see this \$9 billion a year wiped out.

**Mr Robert Chiarelli (Ottawa West):** I'm pleased to enter this debate on Bill 47. At first glance, it seems like an innocuous and harmless bill. Indeed, I think it's very difficult for anyone to disagree with the sentiments as expressed by the member for Durham East over the past half-hour, but I would ask the member for Durham East to listen to some of the comments I have to make today and see whether or not there might be some ways to improve this particular legislation.

I think if we look at the legislation, we'll see that it deals with much more than photo-radar, and that's been the subject of comment by a lot of people in this Legislature. There are many very good ideas which are ruined and destroyed in the execution. What we're concerned about is that some of the provisions in this bill will destroy the good intentions of this particular legislation.

I'm going to start by simply looking at the title of the bill itself. It's called An Act to amend certain Acts in respect of the Administration of Justice. It's called a justice bill, the administration of justice, but the sponsoring minister is the Minister of Transportation.

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If it is a justice bill, why is not being introduced by the Attorney General? In fact, some people have suggested that it might properly be introduced by the Treasurer. Is it more of a justice bill, a transportation bill or a revenue bill? The opposition has been addressing its attention to the other two components besides transportation, and those are the justice and the revenue sides.

There are some very significant flaws in the legislation. It's all well and good for the government to stand up and say how wonderful it is to reduce carnage on the highways. If you're going to reduce carnage on the highways, do it the right way. This province has been swimming in a sea of red ink over the last number of years, and almost everything it does it taints by bringing in revenue components to it. I'm going to address that in a little more detail as I get into my comments.

Let's look at the bill again. It's referred to as the photo-radar bill and it's couched in terms of road safety. Indeed, if we look at the comments of the Attorney General when she spoke a week or two on this particular issue, she said on October 21, last month:

"Our government is committed to making Ontario roads the safest in North America by the year 1998.... The legislation before you today will allow for the use of photo-radar technology to reduce speeding and to reduce pressures on courts and police so that resources can be focused on more serious charges."

The member for Durham East said essentially the same thing.

Nobody disagrees with that intent or that particular goal.

Then the Attorney General goes on, and all of her

comments are couched in the context of road safety, carnage on the highways. But let's look at the bill and see how it extends from that particular idea or that particular goal. If we look at the explanatory notes of what's called, by its very title, a justice bill, it says,

"The main purposes of the bill are to amend the procedures for ticket offences and parking infractions under parts I and II of the Provincial Offences Act, to amend the provisions in that act for dealing with persons who default in paying a fine imposed in respect of conviction of a provincial offence and to provide for the use of evidence obtained through the use of a photo-radar...."

Then it goes on to say, "Section 1 of the bill amends the Provincial Offences Act. Defendants who wish to dispute a charge set out in an offence or parking infraction...." Basically this bill does not only deal with traffic offences or speeding. It deals with all offences under the Provincial Offences Act.

When the member for Durham East stands up and talks about carnage on the highways and road safety, that's one thing, but the bill talks about provincial offences: all provincial offences. So there is, I would suggest, a misrepresentation of what the bill is really doing, because it extends much beyond mere traffic offences.

Let's be very clear about provincial offences. Matters under the Provincial Offences Act are presided over by provincial judges and justices of the peace, who render the final disposition for offences under the statutes of Ontario—all statutes which create provincial offences—and municipal bylaws, including parking offences.

So this bill doesn't only deal with photo-radar. It deals with municipal bylaws: your poop-and-scoop bylaws, your anti-noise bylaws, your property standards bylaws. Fines for licensing of professions and trades, such as plumbers, are included and contemplated to be included under this particular legislation in terms of how fines and the collection of fines are dealt with. It goes much beyond photo-radar.

If I can go back to the bill, it provides basically that you can withhold the issuance of a renewal of a licence or a permit which normally is governed or for which there are punishments under the Provincial Offences Act. I want to read and quote specifically from subsection 69(2) of the act, which deals with that particular issue. As I said, I hope that people on the government side and the people across Ontario will realize how widespread the coverage of this bill is.

It says under subsection 69(2): "A justice of the peace who is satisfied that payment of a fine is in default"—that does not mean a fine imposed under photo-radar; it means any fine imposed under the Provincial Offences Act. Let's be very clear about that. "A justice of the peace who is satisfied that payment of a fine is in default...shall order that any permit, licence, registration or privilege in respect of which any act," not just photo-radar, "authorizes a refusal to renew, validate or issue the permit, licence, registration or privilege because of non-payment of the fine not to be renewed, validated or issued until the fine is paid." And the bill goes on.

Really what that means, and it's been interpreted that way by many people, including a very esteemed counsel who is the Attorney General critic for the Conservative Party, is that if someone is ordered to pay a fine because he doesn't have a particular permit or he has breached something, such as property standards, when he goes to renew his licence for his car or his truck, it can be withheld from him. There's no connection between the driving, the licence and the offence which is being enforced under the legislation.

I would suggest that is unconscionable on the face of it substantively and more so unconscionable because this government is not talking about that effect. They're couching it in the guise of photo-radar and traffic on the highways. To the extent that it covers all the fines for all those provincial offences, it is a collection system to help the government's revenue.

Photo-radar, as you're aware, is an apparatus that's put on the roadside and it basically makes a photograph of the licence plate to catch a speeder. Let's look at some of the implications. That purpose would be very good if it didn't have some of the problems that flow from that simple process.

Speeders convicted on the basis of photo-radar evidence will not lose demerit points and there cannot be any impact on their driver's insurance. What that does is create two systems of justice vis-à-vis speeding in this province.

If, for example, in the city of Nepean they have a machine that does the photo-radar and they snap all these licence plates, there's no demerit points. If you cross the border to the city of Ottawa and somebody is caught for speeding through the normal radar device, then you can lose demerit points; it can impact on your driver's insurance. That creates a double system of penalty and a double system of justice and is probably going to be challenged constitutionally with some legitimacy. This bill does not address that particular problem.

This should really be called a treasury bill, for a number of reasons. First of all, as I mentioned, it doesn't only deal with photo-radar; it blankets all provincial offences and it's used as a hammer to refuse to renew licences, not only car licences but any type of licences, if you haven't paid a particular fine. There may be good reason, public policy, for enforcing the payment of fines, but they are sliding it in the back door. They're not talking about it and they're couching it in terms of traffic and road safety, and that verges on dishonesty, if it's not dishonesty.

The other point is that there are a lot of inequities involved in the process. It's been shown that this particular device covers someone who's going two kilometres an hour or 52 kilometres an hour over the speed limit, with no relevance to points. It's mail-order tax on drivers the way this government is planning on imposing photo-radar.

In fact, they already have the numbers. The Ministry of Transportation and the Ministry of Revenue have gotten together and they've already projected that it's going to generate \$15 million in additional fines that they don't otherwise get.



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One machine costs \$80,000. They're going to be doing it on a pilot project. They're projecting something like \$15 million in additional revenue. It's a revenue generator and they refuse to talk in those terms. We must look at this particular initiative in the context of other government revenue generators. The May budget introduced at least 35 fee hikes which will raise \$220.9 million in extra revenue in 1993-94. That is a lot of money; that is big-time taxation, \$200-plus million.

Let's relate that to other transportation fees and charges. That budget, in addition to talking \$15 million for photo-radar—the cost of registering a snowmobile increased by 20% to \$30 from \$25; that's the Ministry of Transportation, the government, introducing a \$15 fee for a snowmobile permit validation sticker. That's an increase, the same as photo-radar. The cost of taking a road test increases by almost 80% to \$25 from \$14. The cost of off-road vehicle permits doubles to \$10 from \$5. The cost of a permit validation sticker for a moped quadruples to \$1.25 from 25 cents. The cost of obtaining a collision report from the Ministry of Transportation jumps up 20% to \$12 from \$10. The ministry expects to net \$42.4 million in non-tax revenue from these higher fees.

The Minister of Transportation is there and he's standing up right now and he's taking a bow, saying to all these people across Ontario that he's proud his ministry is taking \$42.4 million from the people of Ontario in increases in fees this current fiscal year. The photo-radar is part of it. They don't talk about it and the photo-radar process has to be tied right to it.

This government does not get the message of last week's election. People want their governments to deal up front. They want their governments to deal honestly. They don't want to bring in measures by the back door.

Just consider Bill 47. Bill 47 has generated—

*Interjections.*

**The Acting Speaker (Mr Noble Villeneuve):** Order, please. Order. The member for Ottawa West has the floor. Please allow him the opportunity.

**Mr Chiarelli:** Thank you, Mr Speaker. When we look at Bill 47, we see that it is, as part of that total revenue generation of \$42 million from the Ministry of Transportation, used to generate dollars. Number two, it generates a double system of justice so that speeder in community X will pay a fine and speeder in community Y will pay a fine and lose demerit points. Where's the justice? This bill does not address it. They shake their heads and they say: "Well, it doesn't matter. We're just going to get more revenue and catch more speeders." That's not good enough for a bill, particularly a bill that really effectively is a justice bill.

In terms of being up front with the people of Ontario, they talk of this bill and they call it a photo-radar bill and yet it deals with all provincial offences across the whole gamut in Ontario. People will be very surprised when they walk up to a licence counter to get any kind of a permit and they're told, "No, you can't have your permit." This government is not up front with the people

of Ontario, it's not up front with this Legislature with this particular legislation.

There's also a very significant problem with respect to constitutionality of this bill. When I talk about coming clean with the people of Ontario and having a government of credibility, you have to look at the issue of constitutionality of this bill and how it is being dealt with by this government. I'm going to use an analogy.

We've had several of our members rise in the House at question period and direct questions to the Minister of Consumer and Commercial Relations and to the Attorney General with respect to the serial killer cards. Both ministers have stood in their places and they've said: "We can't pass this type of legislation because there's a question of constitutionality. We don't have the jurisdiction. We don't have the authority."

They stand there and say they can't deal with serial killer cards, for which there's a total consensus in the province of Ontario, and yet the Attorney General is on record as saying publicly with respect to Bill 47, "We understand there are some questions of constitutionality, but we're proceeding anyway and we'll let the courts deal with it." It's a double standard.

There's no credibility with respect to how this government introduces and deals with legislation. It's not acceptable in this House. The member for Durham East stands up and says that he feels passionate about the carnage on the highways. We all do. But if they're going to bring in a bill to get rid of carnage on the highways, tell them to bring in a bill that makes sense, that's up front and that deals with the issues directly. This is a revenue bill and it's a bill that has serious flaws in terms of the justice system.

Let's look around at some of the opinions that have been expressed on this particular legislation, Bill 47, across the province since it was introduced. I'm going to refer to some comments that have been made, particularly on the question of constitutionality again. First of all, I'm quoting from an article by Richard Mackie from the *Globe and Mail* of May 14 this year:

"Ontario Attorney General Marion Boyd agreed that 'there could potentially be a lot of revenue.'" There's nothing about "potentially"; it's in the budget. The budget documents project revenue from this, so there's no "potentially," and the Attorney General admits it but she also goes on to say, "Mrs Boyd said that the changes planned by the province, and the idea of penalizing the owner rather than the driver of the car, could lead to a constitutional challenge."

She proceeds with Bill 47, where she knows there's likely going to be a constitutional challenge, yet on the serial killer cards she does absolutely nothing and she washes her hands. It's an unacceptable standard from the Attorney General and the Minister of Consumer and Commercial Relations.

On the question of constitutionality, I want to refer to an Alberta case. Alberta has the photo-radar devices. I want to read from a commentary on the case which says: "It was held that the accused was acquitted. The police officer who had clocked the accused on the Multanova

device"—which is the photo-radar device—"could give no backup evidence as to the speed of the accused. The results obtained from the device were only prima facie evidence of the offence. Without more, a reasonable doubt existed. The manufacturer's information about the device warned that it was not reliable when two or more vehicles were clocked together. The crown had not met the burden of proof beyond a reasonable doubt."

When the member for Durham East talks about the 401 and you've got three, four or five lanes of traffic coming down and you've got a photo-radar device and it catches two or three cars which are roughly, approximately, going the same speed over the speed limit, they're going to be thrown out. So rather than simplifying provincial offences in the court system, this is going to clog them up and it's going to clog them up royally, because if you're planning on using the photo-radar device in high-traffic areas, they're going to get caught in that type of case.

There are going to be defences entered for this type of case time and time again. While the principle of photo-radar and reducing speed is very good, the practical effect of this bill is going to have some of the same effects it has had in Alberta: that is, clogging the courts up rather than improving the safety on the roads.

If I can make a comment again, this time getting closer to the minister's home territory, the Windsor Star says: "No, we're not going to suggest that Ontario's plan for photo-radar cameras is a page out of Big Brother. But the idea of photographing speeding cars in order to ticket them isn't exactly Candid Camera either."

"In short, it's a proposal that raises some very serious questions and deserves close scrutiny."

These very serious questions that have been raised by the opposition and by editorial writers have not been met and have not been dealt with, nor do they have any intention of doing so. To that extent, I believe the government is being extremely irresponsible. The editorial goes on to say: "Then there is another question: Just how many of these cameras is the province eventually going to buy? At \$80,000 a unit, one has to wonder if the money would be better spent on police officers to enforce the law."

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I think that's a very serious comment, and I don't know that the Minister of Transportation has even looked at it. It's a Transportation bill, but as I said, it might properly have been introduced and vetted through the justice part of this government's cabinet committee system rather than Transportation, because I think the Transportation ministry has botched it and has botched it royally. They should bring it back to their Attorney General and their Solicitor General to look at once again.

If I may, the North Bay Nugget, again closer to the minister's home town, has an editorial which I'll quote from: "We don't condone speeding on highways or city streets,"—neither does the opposition, Mr Minister—"but this plan is going too far. How many times have drivers been behind other motorists who are moving along at 80 km or so in a 90 km zone, passed them at a 100 km, but then returned to the speed limit of 90 km or so. What

happens if the pass occurs during a stretch where the radar is being operated? Big Brother will get you, we suppose."

Not only will Big Brother get you, but Big Brother will also get that type of defence that I mentioned in Alberta. It's going to clog the courts up; it's not going to speed the courts up. That's what's going to happen on our high-speed highways such as 401.

Again, we'll go to the Sudbury Star; I'm going to read a little extract from it. "A new form of radar designed to photograph the licence plate of a speeding car will be nothing but a colossal nightmare, says a Sudbury lawyer."

"Guy Hurtubise, who in addition to practising law has taught the subject at Laurentian University, says that while the new devices will generate 'tons of money' for the province, they will also generate a legal nightmare."

I have pretty well completed my comments on Bill 47, but in all seriousness I just simply want to say to the ministers on the other side who drafted this legislation that they do look at all of the implications. We on this side do not question the motivation of trying to reduce carnage on the highways, but we do think that the way this legislation has been introduced raises a lot of questions and perhaps some doubts in terms of the motivations of the legislation.

As I mentioned, the bill deals with all provincial offences, and yet when the Attorney General debates it in the House and when the member for Durham East debates it in the House they couch it in terms of road safety, speeding tickets, carnage on the highways. It goes way beyond that. I think we in the opposition have an obligation to bring the full import of this legislation to the public of Ontario, which we're doing in this debate and which we'll do through other means.

I also think that it's important to look at this initiative in the context of all the other fee increases, revenue generators, which have come from the Ministry of Transportation, some \$42.9 million from the budget last May.

In that context, I was happy to enter this particular debate. I'm looking forward to the additional processes in the Legislature, and I'm also looking forward, quite frankly, to more comment from the general public. I hope there are some people out there monitoring the debate, some special interest groups and general citizens who are quite concerned about how far this legislation goes. Indeed, this bill, called the photo-radar bill, affects plumbers, it affects landlords, it affects anyone who needs or requires a licence for which there is a penalty under the Provincial Offences Act. So these people must be informed; these people must have a say.

I'll say quite clearly that the reason why all provincial offences are included in this legislation is to try to get a little bit of leverage to enforce the payment of fines under the Provincial Offences Act. There's nothing wrong with that goal. If someone is guilty of a provincial offence and there's a fine assessed against them, they have a legal obligation to pay, and the government has an obligation to try to enforce payment of that fine.

In this particular case, it's being done in a backhanded way. It's being done without admitting that they're doing



it. This bill ought properly to have been introduced by the Attorney General as a justice bill to collect fines for all provincial offences, dealing with all provincial offences. She should be the lead minister. If they want to piggyback photo-radar on a justice bill, so be it; there's nothing wrong with that. But please, I would encourage the government to be up front and deal with the bill in terms of its contents, not in terms of its altruistic motivation, which it puts in a very small context.

**The Acting Speaker:** Questions and/or comments? The Minister of Transportation.

**Hon Mr Pouliot:** I really had no intention to get up at this stage, certainly no intention to be repetitious, but with respect, Mr Speaker, may I avail myself of this opportunity one more time vis-à-vis this subject matter, this safety initiative, to set the record straight.

I respect the member. Of course I respect his opinion. But on and on, people impute motives. Not so hypothetically, we should go and take a trip to the trauma unit at Sunnybrook. Ask those women and men in blue, members of the Ontario Provincial Police, those foot-soldiers, who witness the carnage more often on Friday and Saturday night. They see the very victims in front of their very eyes, getting them out of those twisted wrecks, the result of excessive speed.

What we have at this time is a radar system in any event. What we have at this time is the monitoring of compliance for those who exceed, who surpass, the law of the land, the speed limit, the ordinance, the posting of what you can and cannot do.

What we're saying is that you have to catch up with technology.

It's part of the safety initiative. It's really no different from the graduated driver's licence to make the drivers more responsible. It's really no different from demerit points vis-à-vis wearing your seatbelt. It is no different from the obligation, morally and legally, of the government of the day to improve the statistics, to make it safer. Our goal is simple, by way of conclusion, and in answer to the member's comment opposite: to make the roads of Ontario the safest in North America.

**The Acting Speaker:** Further questions or comments?

**Mr Mahoney:** The minister says they have an obligation to improve the statistics. I think that's exactly what I heard him say. You have an obligation to improve the roads; let me tell you that.

Talk to people in the area of the member who just spoke about Highway 416 and what happened to the commitment of this government to improve Highway 416.

Talk to people in my community about the almost haphazard improvements going on to Highway 403, about material flying through the air and smashing out windshields all the time. Talk to the people about those kinds of safety problems.

Talk to people about Highway 69, north of Waubesa. How long is the government going to take to do some serious improvements and four-laning? The promise is supposed to be all the way to Sudbury one day.

If you were to take the revenue, some \$15 million a

year, out of this particular bill, and if you were to commit that specifically to improvements, just in the three areas I've mentioned, and I'm sure there are others, then I would say to the Minister of Transportation that he indeed would be doing his job at the cabinet table. Talk to your colleagues and say, "If you want to put something in that some people have concerns about, at least take the \$15 million a year and put it directly into doing something that indeed will make our roads safer."

They are wild to drive on. The passing lane, if you go up through Parry Sound, where you are supposed to pull over, to let faster cars go by, it's a frightening proposition for a lot of people to drive, and you could do something about improving safety by improving the roads.

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**The Acting Speaker:** Further questions or comments? The honourable member for Cochrane South.

**Mr Bisson:** I wanted to take this opportunity to comment on the comments made by the member for Ottawa West. It's always the same in this House. It's not so much the question that the opposition doesn't have an obligation and also a responsibility to point out particular parts of the government's legislation as being inadequate; I think that's obviously what the role of any opposition is, any good opposition. However, the difficulty is, it seems to me, that every time any kind of bill comes through this place there are always a number of points made that are somewhat exaggerated, to say the least. Let's keep in mind what this bill is all about and how the legislation's going to work.

What it's going to do is allow the police within the province of Ontario—and certain jurisdictions at the very beginning were probably anticipating anywhere from one, two or three photo-radars being set up initially on particular troublesome highways—to put a sign up on a particular highway and they will warn the driver, "This highway is being patrolled by photo-radar." That by its very nature will put the driver on notice in order to watch his or her speed so that we can make our highways safer. That's basically what's going to happen around photo-radar.

The other point I would like to make is, let's say, for an example, that the highway speed is somewhere posted at 100 kilometres per hour. The police are not going to set the photo-radar at 100 or 110 or even 120. Who we're really trying to get at are not those people who are driving 110 kilometres in a 100-kilometre zone. On the 400 or the 401, most people tend to drive 10, 15, 20 kilometres over the speed limit. If the police try to stop that, it will be fairly difficult. What we're trying to do is stop those drivers who are doing 20 and 30 kilometres over the speed limit by warning them, first of all, and if they persist, the photo-radar will basically be the tool by which we're able to get to them and allow our police officers to go out and do the work that they're paid to do and put their valuable resources to much better use than trying to stop some of the people on our highways.

**The Acting Speaker:** We can accommodate one final participant.

**Mr Drummond White (Durham Centre):** I'd like to

make a few comments on my colleagues' remarks and to state very clearly that, like another piece of legislative agenda, the tobacco act, where we have perhaps half of our members in caucus who smoke, and the bicycle helmet act that's already been passed by this very ministry, what we're looking at are safety measures. If we looked around us in this assembly, we would find many members of the frequent flyer club. Do they? No. I know that the minister has not, but many of us have been known to exceed the speed limit.

When we put legislation in like this, is it because we are looking for revenue? Of course not. If we were looking at revenues alone it would not be an effective tool. It is, however, a very effective tool when one knows that every time you exceed the speed limit you run that risk.

It's not a matter of looking around the corner or knowing that the hill coming up you can slide up, and other little techniques we can use like following behind speeding vehicles. No. We know this is a tool that will work and work time and time again, and it will curtail the driving habits of many of my colleagues.

So we know that this method bespeaks legislators who are concerned about public safety. Even their own behaviour will have to be curtailed, and curtailed severely, and I know that's not true of the minister. But many of my colleagues have seriously looked at this and, like the tobacco act, said, "This behaviour has to stop," because they have seen the carnage, they have seen the results and they are committed to a safer province of Ontario.

**The Acting Speaker:** This completes questions or comments. The member for Ottawa West has two minutes in response.

**Mr Chiarelli:** Once again, the government members have spoken strictly of the traffic highway safety issue. This bill is called the Provincial Offences Statute Law Amendment Act. One would think that photo-radar would particularly come under the Highway Traffic Act and we would be looking at an amendment to the Highway Traffic Act. But no, the reason for the title of the bill comes from section 69 of the bill.

The government side did not speak of section 69 of the bill and I want to read it into the record again. It says, "A justice of the peace who is satisfied that payment of a fine is in default"—that's a fine under any provincial offence. Whether you're an engineer, a plumber, property standards bylaw, any of those offences are covered by this legislation. What does that have to do with photo-radar?—"shall order that any permit, licence, registration or privilege in respect of which any act authorizes a refusal to renew, validate or issue the permit, licence, registration or privilege because of non-payment of the fine not to be renewed, validated or issued until the fine is paid."

This is a hammer to collect fines under any provincial offence, and that's why it's an administration of justice bill. It's called the Provincial Offences Statute Law Amendment Act, and they can talk until they're blue in the face about photo-radar—for which there is monumental consensus in this Legislature, that we have to stop

speeding, that we have to collect fines from the speeders and that we have to cut out the carnage on the highways—the issue is one of credibility, the issue is one of constitutionality and this government refuses to talk about what is really in the bill in the guise of photo-radar.

**The Acting Speaker:** Further debate on second reading, Bill 47. The honourable member for Etobicoke West.

**Mr Stockwell:** I want to talk first about the minister's motivation in announcing this bit of legislation. Let's be clear. I don't particularly think this minister has a tremendous handle on his ministry, to be perfectly blunt. I think a lot of things happen within this ministry—

*Interjections.*

**Mr Stockwell:** I'm expressing my point of view. I honestly don't think that the minister—

*Interjections.*

**The Acting Speaker:** The member for Etobicoke West has the floor. I know there is provocative language. However, all members will have the opportunity. The member for Etobicoke West.

**Mr Stockwell:** I say that because there are a bunch of things going on in this ministry that I find rather offensive.

**Mr White:** "A bunch."

**Mr Stockwell:** A bunch. In fact, I can list them and I will.

First off, we'll have to look at the track record of this ministry under this minister. As we look at the track record of this ministry under this minister, we'll come to the very clear conclusion that what this minister says publicly and what happens within the ministry are two very real, different things. I want to say that very clearly. I'm not personalizing this; I'm just saying what the minister has said very publicly on a number of issues and what actually took place.

Let's examine those who are in the licence renewal business, those people who are running licence renewal operations. The minister, during his original tenure, the very first period of time he was in the business, said categorically that no way would anyone running a licence office have any loss of revenue by any decisions that he made with respect to licence renewals.

They wanted to caterwaul when I said I didn't think he knew what was going on in the ministry, but they don't want to listen to why. They go back to their reading. I'll list this to you: He's in fact instituted a program where people can get licence renewals at those kiosks or the bank-type teller machines where you can go in and get your licence renewed, thereby cutting out the licence office operations.

Those people have worked for the province, in some cases for long periods of time. The amount of money they're getting on a transaction is pennies, literally pennies per transaction, and the minister gave them the understanding that he wasn't going to do anything that would affect their income, and in fact he has.

Those people are very upset with this minister. I see them occasionally and they tell me how offended they are



that they got some undertakings from this minister to protect them and in fact he did not do what he said he was going to do, and did exactly the opposite, I might add. I wish the minister were here and he could respond to those things, because they're upset.

So we move on to the track record of this ministry. You tell me what this ministry was doing when it extended the driver's licence permit from three years to five years. Now when you go in to get your driver's licence renewed, you pay for five years' worth of renewal rather than three. What benefit could there be to the taxpayers to extend that permit from three to five years?

**Mr White:** Simplified administration.

**Mr Stockwell:** There's no benefit. The simple fact is, it simply generates more revenue for the government to spend than a next government would have because they've had an extra two years when they have to come in and renew their licence fees.

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**Mr White:** Chris, would you have them review the licence every month?

**Mr Stockwell:** I say to the member for Durham East who's not listening, now when you go in to get your licence renewed, you get it renewed for five years, two years' worth of expenses paid up front by the taxpayers, and that money is taken by you, put into general revenue and spent. So where is the benefit there? There's no benefit.

The simple fact is they're generating revenue on the backs of the taxpayers, on the backs of future governments because they need the money. They want the money. They want to spend the money.

Let's continue giving examples about this ministry, which I have very little respect for, to be quite honest, because I see every day, it goes further and further into the private sector and the taxpayers' pockets to generate revenue, and I don't think it's fair or reasonable.

The list was given for snowmobiles, for mopeds, for other vehicles that you use in the province of Ontario. You've gone and increased the costs of those renewals, those licences, to the tune of \$42 million. They were not underpaying. They were not being unreasonable in how much they were paying. You simply increased the cost to renew the vehicles in these licences by \$42 million. Why? There's no more safety on the roads. There's no more safety on the snowmobile. There's no more safety on mopeds. You just wanted the money.

People are saying to themselves: "Every time I turn around to get a licence renewed, you've extended it by two years. If I want to renew my licence on my snowmobile, you've increased the price. You want to renew the licence on a moped, you increased the price." Where's the benefit to the taxpayers? Where's the safety?

The next point I would point out is, they're now examining in the ministry, which I know for a fact, extending the licence for your car from one year to two years. The member for Middlesex says, "Good."

**Mrs Irene Mathysen (Middlesex):** I did not say "Good."

**Mr Stockwell:** I'm sorry, the member from Lambton said, "Good." The problem they have when they say "Good" is that the money these people are going to have to pay instead of \$90 for a licence renewal will be \$180. This government will take the money in and spend it, and future governments will not have the money in revenues.

If you want to know my opinion of this ministry, it is nothing more than a money-grubbing, revenue source they're looking for. There's no doubt in my mind, they're examining every option they can find to generate revenue, whether they deserve it or whether they don't deserve it, whether it's a future government's revenue or whether it's not. All they're doing is asking for more, more, more.

Now we get to today. We now have photo-radar. The argument that's put forward by this government is it's hoping—this is another insulting fact and I say to the minister, this is why I don't believe the position this government's putting forward. The minister's coming in now. I'm glad. He had the audacity to stand up in this House and say to the House and to the people who are watching, they're instituting photo-radar with the hopes of breaking even. That is nothing more than a bald-faced untruth. He knows it and I know it.

There is no doubt in anyone's mind, including his own Treasurer—

**Mr White:** Mr Speaker, he has accused the minister of fabrication or prevaricating. Will you tolerate this language?

**Mr Stockwell:** I'm sorry, Mr Speaker, but those are the facts. In the budget announced by the Treasurer of Ontario, the Treasurer has said this could generate as much as \$200 million in revenue. You have the minister standing in this House having the nerve to tell the taxpayers they're hoping to break even on this. That is truly insulting the intelligence of the taxpayers of this province. They're hoping to generate \$200 million in revenue.

Now, to deal with the issue, we have a track record on this ministry. We have a track record of extending drivers' licences by two years so they could gouge more money from the public. We've a track record of them increasing licensing permits for snowmobiles and off-road vehicles and mopeds to the tune of \$42 million so they could gouge more money from the public. We have the track record of them looking at extending the licence for a car from one year to two so they could gouge more money from the public.

We have the record of this minister telling licence office operators that they were safe and he wouldn't do anything to impinge on the operation, and he immediately goes out for a trial basis and operates a kiosk where you can go in and get your driver's licence, thereby cutting out the licence operators. They're gouging the licence office operators in the province.

So we have a track record. You have a track record, my friends, and the minister has a track record. His track record is saying one thing and doing another, of increasing licence permits by \$42 million, of extending drivers' licences from three years to five so he can get more

money out of the private purse and of examining the extension of a licence for cars from one to two. So we have a track record.

If this government and this minister were to come forward with photo-radar the very first day they were in government, they may well have an argument, but the problem is you don't have an argument now. You know why you don't have an argument? Mr Minister, you don't have an argument because you've got a track record, and your track record is not, may I suggest, impeccable.

I ask the members opposite in the back benches that maybe it would be good if they examine the track record of this ministry. Maybe it would be good if you went out and figured out exactly how much money and revenue you're generating for the Minister of Transportation over and above what you took in when you first came.

Further to that, we ask the minister, if he's truly looking for a way to protect the driving public in Ontario today, why doesn't he spend more money on fixing the roads that are in such disrepair so that they could save lives? Being in the kind of disrepair they are, they are mitigating damages, they are mitigating the problems that drivers have with respect to accidents and deaths and costs of accidents.

I ask the minister that. Why does he not maintain a level increase each year to road reconstruction? He doesn't do that because he doesn't really want to make it safer to drive in Ontario. The only reason he wants to make it safer to drive in Ontario is if he can generate some revenue by doing that.

**Hon Shelley Martel (Minister of Northern Development and Mines):** Chris, that's too much. That's really too much. Come on. "He's not interested in safety." Come on, Chris.

**Mr Stockwell:** Apparently, what I say is too much but what their member says is okay, and what he says is, unless you agree with this legislation you don't care if people die in accidents. So apparently, what I say is too much but what their own member says is completely acceptable. Sounds like a double standard to me.

So now we examine photo-radar. Why don't we just examine radar, period, first off? Let's examine radar and the cop who sits at radar stops. I could say to every member in this House that you know where the cops set radar up in order to give tickets and demerit points. A lot of those places the cops set the radar up have nothing to do with whether they're speeding roads, whether they're unsafe or whether there are a lot of accidents.

A lot of the reason they set up radar is because people are speeding in those locations whether it's safe or unsafe. A lot of the reason for those radar setups, you'll note, I'm sure, is at the bottom of hills. Why do they set them up at the bottom of hills? Because they know when people are coming down the hill they're generally going faster than when they're going up the hill. Where else do they set these radar traps up? They set them up—

**Hon Mr Pouliot:** Such brilliance. He's so brilliant, Mr Speaker, he's so profound.

**Mr Stockwell:** It isn't profound. I say to the minister, I never suggested it was profound; I just suggest it's a

fact. The fact is also this: They set up radar traps in school zones at 10 o'clock at night.

**Mr White:** On a point of order, Mr Speaker: The member here has impugned not only the minister but the entire constabulary of the province of Ontario, establishing that the radar system is not for the public safety.

**The Acting Speaker:** That's not a point of order.

**Mr White:** Mr Speaker, I think that's outrageous.

**The Acting Speaker:** Order. It's not a point of order.

**Mr Stockwell:** That comment pretty well sums up the government, I would suggest.

Further, they set radar traps up in school zones at 10 o'clock at night. The schools aren't in. There are no children at 10 o'clock at night going to and from the schools, but you know full well what happens in a school zone. The speed limit drops from 60 to 40 kilometres an hour.

Look, this isn't any new information. I made these same comments as a member of Metropolitan Toronto council. I think it's offensive. They're not setting it up for safety. They're not setting it up to save children. They're setting it up for revenue. You know it, I know it, the police know it. The fact is, everybody knows it. You know full well, when you see a cop in a school zone at 10 o'clock at night, they're giving out tickets to boost their ticket count, to generate revenue.

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**Hon Mr Pouliot:** On a point of order, Mr Speaker: To really impute motive on and on, using the House, this honourable place, as the kind of halo of sanctity that allows one—

**The Acting Speaker:** Order.

**Hon Mr Pouliot:** —to hit people because you have immunity without recourse is completely and totally unacceptable.

**The Acting Speaker:** Order.

**Hon Mr Pouliot:** If you don't respect the government, at least respect the—

**The Acting Speaker:** Order. Would the minister take his seat, please. That is all a matter of opinion. The honourable member for Etobicoke West has the floor. Other members will have the opportunity to participate. The member for Etobicoke West.

**Mr Stockwell:** It is getting frustrating because they changed the rules and give you half an hour to speak. Then when you're speaking, they pop up on silly points of order.

*Interjections.*

**Mr Stockwell:** Come on, Mr Speaker, this is absolutely ridiculous.

**The Acting Speaker:** Order. The Speaker can't hear a word.

**Mr Stockwell:** Just to save the minister the concern, I have said this very publicly outside this Legislature. I've been saying it for a number of years. Generally speaking, photo-radar or radar set up by the police helps to boost the coffers of the Metropolitan Toronto area. I don't know about other municipalities; I know about



Metropolitan Toronto. They use it to increase revenues. They use it in school zones at 10 o'clock at night, they use it at the bottom of hills and they have quotas they have to meet. They meet those quotas by setting up in areas that happen to have a lot of speeders, not because they're unsafe, not because there's a lot of accidents, but because they can generate a lot of revenue.

The question now is, if this provincial government institutes this piece of legislation, I'll tell you right now where you can get a lot of speeders. Any Friday night you can set it up on Highway 400 or Highway 11 going to the cottage, because there's nobody who drives to the cottage at 80 kilometres an hour on that road, absolutely nobody. The fact is that if you're going 80 kilometres an hour going to the cottage, you'd be run off the road. They'd be beeping at you to get out of their way.

*Interjections.*

**The Acting Speaker:** Order, please. The member has every right to make his point.

**Mr Stockwell:** I can't believe these people don't know this. I can't believe they live in such a cave that they don't understand this. I can't believe they've never driven up Highway 11 during Friday rush hour to the cottage—

**Hon Miss Martel:** We don't have cottages.

**Hon Mr Pouliot:** We don't have a cottage.

**Mr James J. Bradley (St Catharines):** I think Bob Rae has a cottage.

**Mr Stockwell:** —between Barrie and Orillia, and not known that nobody goes 80 kilometres an hour. They claim they don't have a cottage. I know their Premier has a cottage and he takes a helicopter there, so maybe you wouldn't know about it.

*Interjections.*

**The Acting Speaker:** Order. I want to remind members that interjections are out of order. It's creating havoc in the House. The honourable member for Etobicoke West, please address the Chair and we will proceed.

**Mr Stockwell:** I've got 30 minutes to make my presentation.

**Mr Bradley:** That's because of Bob Rae.

*Interjections.*

**Mr White:** How do you get to your cottage? In your Lotus?

**Mrs Karen Haslam (Perth):** You do the same thing to us all the time. I'm so glad you're getting it back. How do you think it feels?

**Mr Stockwell:** I'm getting very frustrated. They changed the rules so you get 30 minutes to speak in this House, and the heckling from the member from—I'm not sure where she's from; she used to be in cabinet—

**Mr Bradley:** Perth.

**Mr Stockwell:** —from Perth, who's blathering away, but can't get up in the House and say a word, hasn't got the guts to leave her government after not supporting the social contract, has time to blather away in this House, continuing to heckle.

*Interjections.*

**Mr Stockwell:** I can't understand why this—

**Mrs Haslam:** I'm glad you know the frustration.

**The Acting Speaker:** The member for Perth, please. You will have an opportunity.

**Mr Stockwell:** Since she left cabinet I haven't even heard her speak in this House. I'm very shocked.

**Mrs Haslam:** I never get a chance.

**Mr Stockwell:** Of course you never get a chance because your government won't let you. You're muzzled. Maybe you should cross the floor and you'd get an opportunity to speak, rather than sitting back there heckling in such an unbusinesslike fashion.

*Interjections.*

**Mr Stockwell:** Okay, let's get back to the point at hand here. There's something to be said for—at least in a year and a half I won't have to put up with this crowd here and listen to their heckling.

The point at hand is this: They can set these photo-radars up on the way to northern Ontario, on the way to any of the cottage country outside of Metropolitan Toronto, and they can make a whole bunch of money, probably hundreds of thousands of dollars in a decent night if they want to snap a picture, because the fact is that every car that goes by that photo-radar that night will in fact be speeding. Then on Sunday night, on the way home, I will guarantee you that every car that goes by that photo-radar will be speeding.

Tell me what service they're providing to the public by nailing every single driver to the cottage on Friday night and home on Sunday night because they're going 15 or 20 kilometres over the speed limit. They're not serving anybody. What are they doing? They're generating revenue for their coffers. That's what they're doing.

**Mr White:** Outrageous. We have Mike Harris saying to go on welfare and you say keep speeding.

**The Acting Speaker:** Order. The member for Durham Centre, please let the member for Etobicoke West complete his participation in the debate.

**Mr Stockwell:** Clearly, Ed Broadfoot's brother did not go quite far enough with him.

They're going to generate revenue, and that revenue will be generated not because people are travelling at excessive speeds, not because people are causing great concern for the safety of each other, but because they're travelling to the cottage, and that's what this bill says.

*Interjections.*

**The Acting Speaker:** Please, members. I know it's Monday and you may be frustrated, but let the member for Etobicoke West participate in the debate. Please.

**Mr Stockwell:** Oh, Mr Speaker, I can take it. This is from the member for dumps. I have no problem accepting this. All I'm telling you is what the people in the province of Ontario are saying about your photo-radar. All I'm telling you is what people have come up to me and said is the problem with photo-radar.

The other problem they have with photo-radar is that they say to me—and I'll tell you, car rental companies

are saying the same thing to me. This isn't going to stop anyone from speeding in a rented car. Why would they stop speeding? They're not getting the ticket. Have you addressed that issue? The owner of the car gets the ticket and the owner of the car happens to be a rental company. So who is that saving? That's not saving anybody. That's just generating revenue from a private source of business. We're not talking about demerit points for those people who drove the car. We're just going to hammer the car rental company that rents the cars, is shown as the owner, and he or she is going to have to pay a significant number of dollars each year to the ministry, by way of claiming this is saving carnage on the road.

Tell me whom they're saving. Tell me how many demerit points you lose if you get caught in photo-radar. How many demerit points do you lose? Not one. Nobody loses demerit points. How do we know who's driving the car? We don't. You don't know who's driving the car. You take a picture of the licence plate. How do we know the car wasn't lent? You don't know that. How do we know that the person who actually has to pay the bill was in fact the speeder? You don't. How do you know that anybody who's driving the car, let alone the owner, is going to lose demerit points? You don't. Here we have a situation where nobody gets penalized except for money, and they're suggesting this is going to save carnage on the road.

Next, we move on to the system of Green Hornets or whatever who operate in Metropolitan Toronto. What about those Green Hornets? It's the same theory in Metropolitan Toronto. Why does Metro Toronto hire Green Hornets to walk around and ticket cars? It's because every Green Hornet makes them money. It's not that they're concerned about parking. It's not that they're trying to save the parking dilemma, like they're frightened somebody's going to walk into a parked car and kill themselves. They don't have that argument. They're only doing it because they make money. Why do they make money? Because they go all day long writing out parking tickets in areas that probably shouldn't be no parking, but some local council has agreed to make it no parking because a few neighbours have made complaints.

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They just generate revenue. Every Green Hornet they hire makes them money. Every photo-radar unit they buy will make them money. Why will it make them money? Because they'll just take pictures of licence plates going by, with no repercussions to who's driving, with no demerit points on anybody, because they're going to generate \$200 million in taxes. That's why they've got photo-radar and that's why photo-radar is being instituted today.

They can talk about the other areas where photo-radar was instituted. Why don't they go to Alberta and ask them what their record on photo-radar is? Why don't you go to Alberta and ask them?

**Hon Mr Pouliot:** We did.

**Mr Stockwell:** They didn't tell you it was being challenged constitutionally? They didn't tell you that they think they have a very good case, the challengers? They didn't tell you that they think they may well lose the constitutional argument? They didn't tell you that? I'm

absolutely shocked that the Minister of Transportation, who's trying to save all these lives by taxing people who happen to own a car—not necessarily driving it—didn't get told that in Alberta. I'm absolutely shocked.

You know why he didn't say that? Because he doesn't want to admit it, because this minister knows as well as probably most on that side that photo-radar is not working. Photo-radar has never worked. Photo-radar is a right for the rich to speed. That's what photo-radar is.

Of course it is. I don't understand why they can't understand this. If someone's driving along the streets of this province and they are fairly wealthy and they want to get someplace quickly, they're going to drive at 120 kilometres an hour, they're going to get a speeding ticket and they're going to say to themselves, "That's the price of driving in Ontario." They're going to write a cheque for that speeding ticket, with no demerit points, put it in the mail and send it.

**Mr Perruzza:** What do they get now?

**Mr Stockwell:** What do they get now? I say to the member for Downsview or Yorkview—I'm not sure which one—that they get demerit points. When you get nailed, you get demerit points. You know what? Everybody in this province knows that they would be prepared to pay a ticket when caught. What they don't want to lose is demerit points, because if they get demerit points they have the potential of losing their licence. That's the difference.

So what's the question? Someone who's reasonably affluent, who can afford to pay speeding tickets, drives along and decides he's got to get someplace very quickly. They'll just say that that's the price of doing business in Ontario. The ones who won't be able to do that are those who can't afford to pay the tickets—

**Mr Bradley:** Backbenchers.

**Mr Stockwell:** —those members they were supposed to be representing. They can't afford to pay the tickets. They may not even be driving the car. Their son or daughter may be driving the car, but they'll get the ticket.

What we have here is a government saying: "It matters not who's driving; it matters not whether you get a demerit point; it matters not whether it was unsafe. All that matters is that it's okay to speed as long as you pay the ticket. There are no demerit points; there's no effect." That's your government's thinking.

You see, you don't get it. You have no idea. All you're saying to the public out there is, "If you're willing to pay a speeding ticket, you can speed." That's what you're saying to them, because there's no other way of costing those people from driving. The fear most people have when they drive is the demerit points.

So here we have \$42 million in snowmobile licence increases; \$42 million added in with off-road vehicles and mopeds; \$200 million in photo-radar; we have an extension of drivers' licences by two years to generate them more revenue; we have an examination of a process to extend the licence of cars by a year, so they can generate more revenue; we've got government-set-up kiosks so they can cut the licence operators out of their 1% or 2% take so they can generate more revenue, and then you



want to sell us in the back for doing this because we're worried about whether or not people are injured in car accidents.

What an absolute joke. If you want them to absolutely stand up and say that's true, I dare this minister, and I put it right to you, I say to you, for every nickel you generate in revenue on photo-radar, put it back into road improvements, dedicate that money to road improvements if you really care whether people are injured on Ontario roads. Because unless you do that, all the people are saying is: "All you want is our money. You don't want any safer roads; you just want our money."

So that's the challenge I give this government. You talk a big game; when it comes down to actually spending the money where it needs to be spent, when it comes down to improving the roads, when it comes down to stopping accidents, you have a very, very big control and that's providing safe and reasonably accessible and drivable roads in this province. I know the minister knows full well there are literally dozens of roads in this province that are under standard.

I challenge you, Mr Minister: Don't give me this argument about carnage on the highways. If you want to save lives, take your revenue from photo-radar, dedicate it to road improvements and prove it. Anything else just says to me you're standing in line like every one of your cousins there in caucus and you just want your fair share of the cut that's on the beleaguered taxpayer.

**The Acting Speaker (Ms Margaret H. Harrington):** The member's time has expired. Questions and/or comments. The honourable Minister of Transportation.

**Hon Mr Pouliot:** Again, the opportunity afforded me, simply put, to set the record straight following what my friend and colleague has mentioned. We've heard representatives from the official opposition say \$15 million in revenue; then the member says \$200 million—what a round figure; what convenience indeed—and then challenges the minister, saying, "Well, spend the money on the highways."

Well, the budget for the Ministry of Transportation is \$2.7 billion. We have 23,000 kilometres of roads; we have 9,700 employees; a very comprehensive safety program. Let's ask ourselves: When you have a posted speed limit of 100 kilometres an hour, why would I be so obsessed, so possessed, why would I be so much against it? Is it because I encourage speeding? Is it because I'm not cognizant of the carnage that is taking place? Is it because I wish to go above? What do I have to hide? One thing remains constant; there is one given: If you don't speed, if you abide by the law, you don't have to be concerned about photo-radar.

You are Joe or Josephine Citizen; 100 kilometres an hour is plenty for most people, thank you very, very kindly, unless you're chasing a culprit. To make matters worse, we do acquiesce. We say, "Well, it's quite all right to have an existing radar system."

When someone gets caught speeding, somebody doesn't descend from the heavens. They get caught by radar as is. We want to catch up with the 21st century. What we're doing is we're making our system more

sophisticated; no more than that, no less than that. We're determined to save lives.

**The Acting Speaker:** The minister's time has expired. I recognize the member for St Catharines.

**Mr Bradley:** I'd like to direct a couple of questions to the member, whose speech, as always, was highly entertaining and very insightful.

I would like to know whether the member for Etobicoke West believes that perhaps it would be much more appropriate if this bill were to appear in the name of the provincial Treasurer, the Minister of Finance, who will be receiving all of the funds that are derived from photo-radar. I'd be interested in his observation on that. I realize that's somewhat in-house, but I want to know whether he believes, instead of the Minister of Transportation carrying this bill, that in fact it should be the provincial Treasurer who's carrying the bill.

Second, I would like to ask him whether he believes that this is a good use of the time of police forces in the province of Ontario, dealing with these photo-radar machines or whether it would be a more appropriate use to have them get the bad drivers off the highway, those who are darting in and out of traffic, those who are sitting in the left lane holding up traffic for miles and causing anxious drivers to switch lanes; whether it be those who are driving when their ability is impaired, whether they should be pursuing others who are driving in a dangerous fashion or are driving vehicles which are clearly incapable of being on the highway and being operated safely; whether indeed the police should be spending more time fighting crime than chasing people down the highway or sending summonses to them, and last, whether he feels that it is rather revealing—perhaps he's covered much of this in his speech—that no points will be assigned to anyone as a result of these offences.

In total, I suppose I'm asking if he believes that this bill is simply an opportunity for the government to bleed more money out of the residents and others who visit the province of Ontario and that it has little or nothing to do with safety.

1710

**Mr Charles Harnick (Willowdale):** It's interesting when you get to hear the minister stand up to reply to some of the criticisms of what I think is a bill that could be an honest, decent bill if he did what people are telling him to do. He doesn't answer those questions. He gets up and makes a theatrical speech but doesn't deal with any of the issues that are being put before him.

Why won't he answer why the funds can't be dedicated to the Ministry of Transportation? Very simple: Say it's right or say it's wrong, but at least answer the question. Don't dance around it. Why won't he answer the question that's been asked in a number of speeches: Why won't he just start taking photographs of the driver? Why not try and deter the people who are actually committing the crime?

**The Acting Speaker:** To the member, you are not referring this through the Speaker.

**Mr Harnick:** Take the photographs of the driver. The technology is there. Let the owner identify the driver. Let

the owner be exempt from paying the fine in the event that the driver is identified. Let the driver then be the person who gets fined and demerit-pointed and thus deterred from speeding.

What's the point of taking a photograph of someone's licence plate and telling him a month later he was speeding? You could kill a dozen people between now and then. What's the point of doing that?

Another thing about this bill that really isn't being discussed in any of the speeches, because we don't have enough time, is the issue of parking tickets. Do you know that once this bill comes into force, it's going to be harder to fight a parking ticket than it will be to get a case into the Supreme Court of Canada? This bill will be so complicated for the public to use in terms of fighting parking tickets, they're going to have to go to court two and three times before they even get to someone who's going to make a decision about their ticket. This bill is so complicated, it's so ridiculous and it's such a huge waste of resources that it should be scrapped and redrawn in so far as the parking ticket section is concerned.

**Mrs Mathysen:** I would like to respond to the member for Etobicoke West. I was quite interested in his rationale, or the lack thereof.

He talks about all those people out there who drive like mad people, and it seems to me that this kind of rationale, if you extend it, applies to those who would refute the arguments against drinking and driving, to those who would say: "Drinking and driving are part of our society, part of our culture. Do it because everyone does it."

Saying that because everyone speeds going to and from the cottage that somehow condones it makes no sense to me. If the member were to be completely honest, I'm sure he would have to say that the carnage on Highway 400 going to and from the cottage every weekend is unspeakable and is unacceptable. I would be very concerned that he would dismiss that as simply, "Everyone does it."

I'd also like to say that as the mother of a teenager—and I will admit that with my teenage daughter, who is 14, some of these new acts are not terribly popular—where I get to get a notice indicating that my vehicle was being driven at excessive speeds, I would be thrilled and delighted to be able to say, "Your driving days are over for now, my dear," and know that this child perhaps will live to drive another day. Once that crash occurs, once that horrible accident happens, that life is lost for ever. I would much rather that she be angry, concerned, perhaps a little put out than for me to lose her for ever.

I support this. I would say that a financial disincentive to speeding is a very important one.

**The Acting Speaker:** The member's time has expired. The member for Etobicoke West has two minutes to respond.

**Mr Stockwell:** I want to comment on whether it should be a treasury bill. Yes, it should. Is it a good use of police resources? Absolutely not. The police have got far better things to do than moving photo-radar around the province.

I say to the minister, you spend \$2.7 billion on roads. You collect \$4 billion or \$5 billion in associated costs for cars and the operation of those cars. Don't give me that. That's such a shallow argument it doesn't even benefit this minister. You've got \$200 million you can apply to the \$2.7 billion you have; you collect \$4 billion or \$5 billion from the car-related businesses. Don't tell me you can't apply that money as well.

To the member for Middlesex, the people who are driving—I don't know what she was talking about—"madcap drivers," she said I think. I'm not saying they're madcap drivers.

**Mrs Mathysen:** No, I didn't say that.

**Hon Miss Martel:** She didn't say that.

**Mr Stockwell:** She said, "The mad people running around the province" or "driving around the province." That's what she said or announced.

I say to her, the point I'm making to you is quite often on our highways there are artificially low speed limits. On Highway 11 going up to the cottage, it gets reduced to 80 kilometres an hour. Nobody knows, other than the few places you see it, because you're going through Gasoline Alley etc, and no one is going 80. Nobody is driving haphazardly, nobody is causing outrageous accidents, but everybody is going above 80 and they're honest, law-abiding citizens. They're reasonable drivers. They're not criminals. These aren't the people who are causing carnage on the road, but these are the people you're going to tax because they're driving at 95 kilometres an hour going to the cottage.

The point I was making—and she shakes her head, and I'm glad she only has to shake it for another year and a half. I say to the member that I know there are artificially low speed limits in this province where they will set up a photo-radar and get everybody who goes by. If you think you're getting people who are speeding, if you think you're getting dishonest citizens, if you think you're getting those people who are causing all this carnage, you're dead wrong.

**The Acting Speaker:** The member's time has expired. Are there any further members who wish to participate in this debate?

**Mr David Winninger (London South):** As those members who have read the compendium will know, Bill 47 addresses many needs, but the paramount need that's addressed in Bill 47 is the need to make our roads safer. In fact the objective is to have the safest roads in North America.

*Interjections.*

**The Acting Speaker:** Order. I'm afraid I cannot hear the speaker who has the floor. Order, please.

**Mrs Haslam:** Please be quiet.

**Mr Stockwell:** I'm not being quiet now, not a chance. Not a chance of me being quiet.

**Mr Winninger:** Photo-radar can indeed reduce speeding, just as it has done in other jurisdictions. The photo-radar initiative is complementary to many other initiatives that this government is taking—

**Mr Stockwell:** You people are not going to finish



five words without a heckle, I tell you, the rest of the day. Speak as long as you want, I'm going to heckle you.

**The Acting Speaker:** Would the member for Etobicoke West come to order.

**Mr Winninger:** —such as better training for drivers, graduated licensing, improving our roads. The fact is that this government is going to spend \$900 million on improving roads across Ontario. Just last Friday I had the privilege with my colleague from Middlesex, when we stood on the Dingman Road bridge across the 401, to celebrate and announce the completion—

*Interjections.*

**The Acting Speaker:** I have warned the members and I am now warning them that I cannot hear the member who has the floor. It is my job to be able to hear the speakers. I would ask everyone to come to order.

**Mr Winninger:** As I said, it was just last Friday that I and my colleague from Middlesex stood on the Dingman Road bridge across the 401 to announce the completion of some very important work to Highway 401 in the vicinity of my riding, which erected median barriers as well as extended and paved the shoulders in an area where numerous deaths have occurred over the past few years. I was quite thankful that this work is now completed. Many lives, I'm confident, will be saved. As well, our countermeasures against impaired driving have proven very effective to reduce the incidence of drunk driving in the province.

The Minister of Transportation, the Attorney General and the Minister of Transportation's parliamentary assistant I think spoke quite eloquently for the need for these kinds of initiatives, given that each year we lose 1,000 lives on our highways, given the fact that each year 90,000 people are injured on our highways, with immense costs both in human terms and also in economic terms, because these kinds of injuries and deaths cost society billions of dollars.

1720

The Attorney General said at the commencement of second reading proceedings that Bill 47 will reduce backlogs in the courts, that it will prevent the dropping of charges due to delay or to police not showing up for the trials, and restore confidence in our justice system.

It's a well-known fact that many defendants choose to elect to have a trial, hoping that the trial will be delayed or hoping that the police officer will not show up and that the charge will be dropped. This costs our police system and our court system dearly. Great time and expense is needlessly expended for ex parte trials where the defendant does not show up, the police officer does show up, but the charge must still be proved.

As you may know, Madam Speaker, 85% to 90% of all ticket offences are minor offences involving fines under \$500. There is a great volume of these offences that take up police time and create delay and backlogs in the courts. In Metro Toronto in the last fiscal year, charges and requests for trials increased by 10%. Many of these charges and requests for trials, as I indicated, proceeded to ex parte trials in the absence of the defendant and the presence of the police.

The first appearance courts that are initiated under Bill 47 in Toronto and perhaps other venues where photo-radar may be piloted will serve to greatly narrow the issues before the court. Charges can be withdrawn or reduced, if appropriate, after consultation between the defendant and the police or prosecutor, guilty pleas can be entered in an expeditious fashion, frequently with submissions as to sentence, or if the issue is irresolvable at the first appearance court, a trial can be scheduled in an expeditious and timely process. This will certainly reduce pressure on our courts and relieve the police and the courts for more important work.

I think the pilot project is a good experiment in streamlining how our justice system operates. It offers better use of police resources. For example, a police certificate can be entered in evidence at a trial unless the defendant requests to have the police officer there to give personal evidence and to exercise the right to cross-examine that police officer. If the defendant fails to show, however, a conviction can be entered without an ex parte trial. However, if there are extenuating circumstances, that defendant can move to have the matter reopened.

There are also some important changes with respect to enforcement of fines in Bill 47. As you may know, Madam Speaker, right now it costs an average of \$121 a day to incarcerate a defendant for failing to pay a fine. In 1991-92, almost a quarter of people in jail were in jail for fine default; 60% of these people had defaulted on fines involving liquor offences.

Of the number of people going to jail at public expense for unpaid fines, there is a disproportionate number of native people. But before I deal with figures on native people, be mindful of this: If someone is incarcerated for up to 30 days for not paying a fine, at an average cost of \$121 a day, and that maximum fine is \$500, it certainly doesn't make a lot of sense to incarcerate the penurious at great public expense when other remedies may be available, including strengthened civil enforcement of fines through garnishment or through seizure of assets. This bill certainly goes a long way towards strengthening those civil remedies.

On the issue of native people in our jails, while native people constitute 12% of the jail population, they only constitute 1% of Ontario's general population. Some 50% of native people in jail are in jail for failure to pay fines, frequently—in the majority of cases, I would suggest—because they do not have the financial wherewithal to pay those fines, and of the 50% of native people in jail for fine default, a full 80% of them are in default of fines for alcohol violations.

The Liberal and Tory parties did nothing to remedy this situation. Bill 47 does address this situation, and what Bill 47 provides for the general population is that no one will go to jail because of inability to pay without a hearing. At that hearing, if the defendant can show that the default in paying the fine was due to lack of financial means to do so, the justice of the peace presiding at that hearing can look for alternatives, such as lengthening the time for payment of the fine or allowing instalments to be paid.

In addition to that, as I said earlier, there are of course

civil remedies available to collect fines, including garnishment of income and seizure of assets, so that jail will no longer be a sanction also for public drunkenness and illegal possession of liquor, which contributes to a sizeable proportion of offenders who are incarcerated for failing to pay fines.

Justices of the peace under this new, more streamlined process, will be able to hear all Provincial Offences Act matters involving young people except if the youth can be placed in custody. Right now, as you are probably aware, provincial court judges normally deal with young offenders. These provincial court judges could devote more of their time and concentration to other matters once they are freed up from hearing these summary kinds of offences.

As well, under this new and more streamlined process of justice, no formal order will be required by a justice of the peace to suspend licences for fine default. Court staff will be able to direct the Ministry of Transportation in the same way as is being done with plate denial when parking fines are in default.

Further, as the Attorney General indicated in opening, licence suspensions will be extended to situations involving driving without insurance or a licence, misuse of snowmobiles and road vehicles, and Criminal Code offences involving vehicles, not just moving violations as is the case under the current law.

I must correct a false impression that was left during the debate on second reading by the member for Willowdale, who is also Justice critic for his party. Some of the submissions that were made by the member for Willowdale have also been picked up subsequently by other members of the opposition participating in this debate.

1730

In debate on October 1, the member for Willowdale argued that Bill 47 changed the law by extending the use of licence suspensions to enforce unpaid fines. Just so there's no mistake, what the member for Willowdale said on October 21 is,

"If you are in default and under any act, whether it's related to motor vehicles or auto insurance or something as distant as a veterinarian having his licence to practice veterinary medicine, if the Veterinarians Act says that someone who is in default of a fine can be suspended, then what this means is that they can have their licence suspended because it's under any act."

It goes on to say:

"When I'm told that it's a matter of making roads safer and I see that if someone is a veterinarian, a lawyer, a doctor, a plumber, a pipefitter and they have a licence and under the act that licenses them to do their day-to-day work it says if they're under suspension they can't get that licence, it is very remote, very remote indeed, from the idea of driving an automobile. There are many provisions in this bill that are like that, and it goes much further than the surface."

In addition, on October 26, he said the following:

"What this essentially means is that if I have a licence to be a plumber, and if there's an act that authorizes who

can be a plumber and that act says if I'm in arrears of any fines my licence to be a plumber is to be taken away, then if I have a fine of any kind under the Provincial Offences Act as it's now being amended, then my licence to make a living is taken away."

Mr Harnick in essence is stating that the new subsection 69(2) involved a change because it allows permit and licence suspension under any act that permits suspension for non-payment of fines.

Bill 47 does not in fact change the basic rules for licence suspension in the Provincial Offences Act; it only changes the structure of subsection 69(2). Let me remind you what the Provincial Offences Act, introduced and proclaimed by the Conservative government in 1980, said. This is the section, subsection 69(2). I'm not confident that the member for Willowdale went back and looked at it, but I'm going to read it anyway.

"Where a justice is satisfied that payment of a fine is in default, the justice

"(a) shall order that any permit, licence, registration or privilege in respect of which a suspension is authorized by or under any act for non-payment of the fine be suspended, not renewed or not issued until the fine is paid."

If you study the new subsection 69(2) closely, you will see that while it's different marginally in structure, it has the same effect, and this I think is what the member for Willowdale missed here. So if he has a complaint, it shouldn't be with the purpose of our subsection 69(2); it should be with the purpose of the original subsection 69(2) in the Provincial Offences Act introduced by his own government and proclaimed by his own government in 1980.

The fact of the matter is that Bill 47 by itself does not authorize the suspension of any permit, licence, registration or privilege unless the specific act authorizes suspension or non-renewal as a method of collecting unpaid fines or where the specific fine sought to be collected is mentioned in that act as one that can be collected by using suspension or non-renewal.

You can understand my concern when this argument is introduced by a member and then picked up by others who clearly have not gone back and looked at the original section of the Provincial Offences Act to determine that the purpose is indeed the same. The policy of the Provincial Offences Act, now and before, has always been that no permit, licence, registration or privilege can be suspended for fine default unless the Legislature decides it's warranted and passes the necessary legislation.

Bill 47 does not deal with suspension of fines for any offences that are not related to the operation of a motor vehicle. It does not affect veterinarians unless the Veterinarians Act is explicitly changed to permit same; it does not affect plumbers unless their governing legislation is changed; doctors under the Health Disciplines Act, lawyers under the Law Society Act and a host of other professions. These licences to practice cannot be revoked under Bill 47 unless there are fundamental changes to the governing legislation for those professions.



On the whole, I think if we look at Bill 47, if we look at the compendium and if we look at its avowed purposes—to streamline the justice system for minor offences, to improve the manner in which we enforce payment of fines in default, to implement photo-radar on our highways so that motorists will reduce their speed and some of the carnage the Minister of Transportation alluded to earlier can be prevented—then I think we will have made some very important strides in improving the safety of the people of Ontario.

**The Acting Speaker:** Now we have time for questions and/or comments. I recognize the member for Durham West.

**Mr White:** I want to commend my colleague from London South for his excellent remarks and for his clarification of the many, many misdirections we've heard.

I would also like to mention, of course, the important issue about safety on our roads, the issue in our area of how it's impossible to speed given the heavy use of the 401 during all hours of the evening and night. I am confident, though, that with the kind of investment this government is making in safety at the Harmony Road interchange in Oshawa, or with the expansion of the 401 into collectors and express lanes in the east end of Metro, we will actually have a need for this kind of legislation for the commuters in our area.

I know that with our government we will have not only that expansion of the 401 to allow for greater road use but also the Steeles connection and other major intersections, the 407 speedup, which will actually give a meaning to and a necessity for this kind of legislation.

Certainly in our area there haven't been that many accidents due to speeding, given the lack of the capacity to speed, but my friend's points, I think, were very, very important to the issue about safety, the clarification. These are the things a responsible member of the government needs to do to ensure the people of Ontario understand the purposes of the legislation, understand the intricacies that have been misrepresented to them so frequently by members of the opposition, that this is not a bill about setting élites, setting up social workers below lawyers and the rest of our community. It's a law that deals with safety and deals with an efficient means of ensuring safety on our roads, which is compatible with our government's thrust towards better roads.

**The Acting Speaker:** I thank the honourable member and I do recognize that you are from Durham Centre; I'm sorry. Any other members who wish to participate in questions and/or comments? I recognize the member for Downsview.

1740

**Mr Perruzza:** It's indeed a pleasure for me to be able to rise and congratulate the honourable member for London South on his very studied analysis of this particular piece of legislation. I just simply take my minute and a half that I have to say it was a pleasure to listen to him, because quite often we sit in this place and have to listen to a litany of uninformed, unstudied, unfounded, frivolous allegations with respect to particular pieces of legislation.

I can't help but go back to a comment that the Conservative member for Etobicoke West made about his speeding up to the cottage and driving at 80 kilometres per hour.

**The Acting Speaker:** Your comments are to refer to the member for London South, please.

**Mr Perruzza:** It refers back to what my colleague the member for London South said. There are these speed limits that say you can only go 80 kilometres an hour, because to go any faster my sense is that some authority has made a decision that's how fast you can go on that particular stretch of road. But nobody adheres to that. He obviously doesn't adhere to that, and he's quite concerned that he may get caught in a photo-radar and be fined for that.

**The Acting Speaker:** You are referring to the member for London South?

**Mr Perruzza:** Because safety's not an issue. When you've got to rush on up to the cottage, you're going to rush on up to the cottage. If you've got the money to pay for tickets and if you get caught on a radar, then that's tough, because you've got money, so therefore you'll pay. That is hogwash, and I can't believe that kind of argument is brought into this place.

**The Acting Speaker:** The member's time has expired. Are there any other members who wish to participate in questions and/or comments regarding the member for London South's speech? Seeing none, the member for London South has two minutes to respond.

**Mr Winner:** I certainly appreciate the generous and expansive support expressed by the members for Durham Centre and Downsview, and they certainly acknowledge and support the truth of what I said. I can only surmise, since none of the members of the opposition stood up to respond to my comments, that they too appreciate the intrinsic truth of the propositions I put forward.

**The Acting Speaker:** Are there other members who wish to participate in this debate?

**Mr Sean G. Conway (Renfrew North):** I'm pleased to join the debate this afternoon, and I want to thank my friends from St Catharines and Etobicoke and others who wanted to respond to some of the comments of the previous speaker but were kind enough to take a pass so I could take a few moments this afternoon to put my remarks about Bill 47 on the record.

There are few subjects about which I feel as strongly as some of the issues raised in Bill 47. I can say without fear of contradiction that I don't think there's another member in this Legislature who spends as much time in an automobile as I do, and I accept entirely what members from all sides have said that there is a problem with speed, and speed kills, and we all know that. I think we are all agreed we have to recognize that as a problem, and we have to make reasonable steps to deal with it.

I have, over the course of nearly 20 years in this job, driven almost a million miles, and I'm a speeder and I'm sorry for it. I've been fined several times for breaking the law, and I'm not proud of that. I've dealt with a number of law enforcement officers from one end of the province to the other in that respect.

But I look at this legislation and it just enrages me. Few things have enraged me like this Bill 47, and not because I have a problem with the problem. But the notion that we're going to have in 1993 some kind of an Orwellian world where posted on a tree some place along a roadside is going to be some kind of an impersonal machine that's going to spy down on me and my fellow citizens and without any opportunity for a dialogue fine me in some kind of way that I know not what, it just offends something basic in the culture from which I have come.

I want to say to my friends in the new democracy, I just want them to think about what we're dealing with here. I wonder what the member for Riverdale, the member for Oxford, the member for Lake Nipigon would be doing if any of us, from Etobicoke West to St Catharines, was in here saying, "You know, we should have some kind of automatic surveillance for welfare fraud or for workers' compensation abuse." I mean, there would be a meltdown, because there would be an argument that that kind of technology is a violation of something fundamental in the Ontario culture, and they would be right.

But again, as I learned a long time ago with my friends in the NDP, if they are committed to a certain end, then any means are justified to support that end. I want to say to my friends opposite that this week particularly—

**Hon Ms Churley:** You're smarter than that.

**The Acting Speaker:** Order, please.

**Mr Conway:** Well. I have no plan—but I'm going to tell you, Madam Speaker, that this is far more than some people imagine. There is going to be a reaction that is something of a firestorm when people start to encounter this new policy. When people in Niagara Falls and in Pembroke and in North Bay and in Toronto start to get those fine notices weeks after some kind of violation along Highway 403 or 406 or 401, there is going to be a very swift and negative reaction, and the minister of highways or the provincial Treasurer will have won nothing but a pyrrhic victory.

Police forces that imagine that this is going to enhance their public relations had better think about it, because I am deeply worried about the way in which citizens in this province are going to respond when they get the ticket under this new set of provisions. I may not be able to convince the member for Riverdale, but I'm going to tell you that there is going to be a fury—

**Hon Ms Churley:** You're going to love every minute of it.

**The Acting Speaker:** Order, please.

**Mr Conway:** I am not going to love every minute, but I'm going to use myself as an example. I think I am a reasonably law-abiding citizen.

**Hon Ms Churley:** But you break the law.

**Mr Conway:** I do, and I'm not happy about the fact that when I head home every week along Highway 401 or north along Highway 15 and I'm driving at 120 kilometres an hour, I am passed by virtually everyone on the road.

**Hon Ms Churley:** Then they should all slow down.

**Mr Conway:** My friend opposite says, "They should slow down," and I agree. I agree that speeding is a problem and speeding kills. I accept that and I accept that every person in this assembly wants a good public policy to address that. In my view, we're not here disputing that objective—

*Interjections.*

**The Acting Speaker:** Would the member take his seat for a moment. The member for Renfrew North has the floor. He has the right to express—

**Mr Stockwell:** Instead of heckling, do something worthwhile with your life instead of signing licence permits for elevators.

**The Acting Speaker:** Order, please. I would like the members to come to order. I would like to hear the comments of the member for Renfrew North, and others will have a chance to comment later.

**Mr Conway:** I just simply want to say that there can be no dispute about the problems we've got on our highways, and in this assembly this week I would like to think all honourable members are very keenly aware of the tragedy that attaches to our roads, because we have all experienced in very recent days in a very real way the measure of that tragedy.

I spent a good bit of the summer and fall with my colleagues from Nepean and York Mills and others on the committee looking at the graduated driver's licence, and though I think there are some refinements needed to the policy, I accept what the government is saying about the need for that kind of change. I sincerely hope and expect to be able to support some kind of government bill in that connection, because there is carnage and we must be concerned and we must respond to it.

1750

As someone who lives in an automobile and who represents a very large rural community where there is no public transport and very little opportunity to travel beyond the personal car or half-ton truck, I am going to be unspeakably furious when I get a fine in the mail weeks after—

*Interjections.*

**Mr Conway:** I ask my friends opposite to listen and to measure what I'm saying because I don't think I'm going to be alone. The member for Frontenac-Addington represents a lot of good people, and if one of these machines is stuck up along Highway 41 some place between Northbrook and Denbigh on some clear fall night, and the machine is locked in at 80 kilometres, every person who passes that machine will be fined and every one of those citizens will be in a blue rage a month later when they get that kind of ticket in the mail, because they will know and they will rightly understand that something fundamental to their citizenship in Ontario—and I'm not talking about Albania, and I'm not talking about Australia, and I'm not talking about Alabama; I'm talking about Ontario.

When I read some of the government propaganda, I'm asked to think about the autobahn or the autostrada in Italy. I've travelled those, and if they are being held up



as some kind of example of controlled speed then I must have been hallucinating when I last travelled the autostrada in central Italy or when I last was on the autobahn in Germany.

I come back to my central point that there is a problem and we must deal with it. But the problem of too much speeding on our highways does not justify this kind of Orwellian policy, and that is my point. We've all had the experience of being stopped along the roadside by a police officer and being told that we have breached the Highway Traffic Act, and there is some opportunity to talk to that police officer, to give some kind of explanation. Yes, some of the stories are absolutely laughable and are generally dismissed if they are so transparently laughable. But we've all known situations where there were extenuating circumstances. What opportunity is there in this policy? None.

As I say again, representing a large rural constituency, like my friend the chief government whip, there's no TTC in north Frontenac or in north Renfrew. There's no OC Transpo in Lake Nipigon. The rural communities that some of us represent are going to be additionally discriminated against with this kind of policy simply because there are no alternatives to the car and the half-ton truck.

**Mr Mike Cooper (Kitchener-Wilmot):** Obey the law.

**Mr Conway:** My friend says, "Obey the law." I'm going to be very interested, and I'll use the 401 east-bound as a good example, because I drive it every week. If we set these machines, I just assume that every single vehicle will be issued a notice of fine because everybody passes me at 120. That's not going to happen because the technology—

**Mrs Haslam:** It doesn't make it right.

**Mr Conway:** The member for Perth says, "It doesn't make it right." Of course, she's right. My point is, we have a problem. What kind of policy can we reasonably develop that will (a) make people better understand the need for behavioural change, and (b) assist our police forces? Part of assisting our police forces is to try to make people feel as positively about them as possible. How angry do you think people are going to be in Oxford county when they start to get this kind of impersonal ticketing in the mail, asking for \$240 or \$90 or \$100? I think it is a public relations nightmare.

As my friends from Ottawa West and Etobicoke West and others have pointed out, it couldn't be more obvious what one of the main intents of this policy is. It is a revenue grab and it will be seen as such. If you're going to proceed with this, then you'd better contemplate some kind of amendments that make it appear to be something other than a revenue grab. But you look at this, and if you ask yourself whether this is here to reduce the carnage, to reduce speeding, there's not very much evidence in those sections of Bill 47 which deal with photo-radar to make you believe that it is going to be anything other than a revenue grab.

I can imagine—and I might be sorely tempted to do it myself, to smudge in a very real way my licence plate,

because I find this kind of intrusion so outrageous. I view in my society certain rights of citizenship as pretty basic, and I'm telling you, I want to know and I want to meet my accuser. I don't want some machine looking down from some maple tree north of Kaladar, Ontario, to be my accuser. I find that illiberal and intolerable. You know what? I might be wrong, but I don't think I am: I think a goodly number of people in Ontario will agree with me.

I asked one of the pages to get me a copy of the *Globe and Mail*, because every morning over my bagel and orange juice I'm reminded, and I think quite appropriately, by the *Toronto Globe and Mail*, "The subject who is truly loyal to the chief magistrate will neither advise nor submit to arbitrary measures." What could be more arbitrary than this policy? What could be more invasive and more intrusive than this policy against which the Roman Junius rightly advised? I just refuse to be told, "We've got carnage on the highways, therefore we must do something," and anything might be something.

**Mr Perruzza:** Leave us a couple of minutes. If you want a response, leave us a couple of minutes.

**Mr Conway:** Why do I want to engage the member for Downsview in any kind of debate?

I simply want to say that the experience I had this summer with my friends, including the government representatives, on the resources committee around a graduated licence was a truly educational experience. My friend from Kitchener-Wilmot was there. I've got to tell you again, as someone who lives in a car, and I speak only for myself, I'm increasingly concerned about what I'm hearing and what I'm seeing. I want to applaud the government. I think the move on the graduated licence is an appropriate move and one I want to support, but I will not accept the notion that just because we've got a problem with speeding, and we do, that justifies any kind of policy. Politicians today are having a real problem with credibility.

*Interjections.*

**The Acting Speaker:** Would all members come to order. We have a few minutes left. The member for Renfrew North would like to use them. Please go ahead.

**Mr Conway:** The member for Essex-Kent invites me to be perhaps more controlled.

**Mr Hayes:** No, you're being Liberal.

**Mr Conway:** Well, I'm being very serious. If I seem a bit agitated, it's because I am agitated. It is because I share the concern about speeding and about serious accidents and deaths on our highways, but I can't support this photo-radar because in my view it violates something fundamental in the Ontario political culture.

**Mr Winninger:** Besides, you might get caught.

**Mr Conway:** I have been caught under the old system and I ought to have been caught.

Again, on the hearings this summer, quite frankly, I was impressed by the people who said to me that the thing that really did make the difference was the police officers. The member from Wilmot will remember this. We had a couple of people who said they were stopped,

and rather than fined, they were encouraged, told, to take a defensive driving course. That was the kind of testimony that really impressed a lot of us in the committee.

Getting a notice in the mail a month after some kind of transgression—

**Mr Stockwell:** That you didn't necessarily do.

**Mr Conway:** Yes, that you may not have done, because it's your car, you own the car and the fine attaches to you. The fact that it was perhaps one of your children, one of your neighbours or someone else is immaterial to this technology and to this policy.

I just think we are going to create a bigger problem than the one we've got now. We are going to infuriate a large number of law-abiding citizens in this province. We are going to cause the police, if not in first instance then in later days, a very, very real problem around public relations. I think overall the public is going to look at this and say: "Whatever the intention was, the reality is that they've just reached into my pocket with some kind of

new, fancy technology, and they've simply taken money. That's all they were interested in and I don't believe anything else they've said." The credibility problem that all of us have had in elected office will just continue, and the carnage on the highways that has brought us to this policy in the first instance will not be materially affected.

I say in conclusion that there is a problem and we've got to deal with it, but I ask honourable members to look at the mechanism that the government is recommending in part of Bill 47 with photo-radar. I think it is obnoxious and objectionable, because in a flagrantly Orwellian way it violates some of the basic aspects of fundamental citizenship that people in Ontario and Canada have rightly come to expect as hallmarks of any kind of good public policy.

**The Acting Speaker:** It is now 6 of the clock; therefore, this House stands adjourned until Tuesday, November 2, at 1:30.

The House adjourned at 1802.

## ERRATA

No.	Page	Column	Line	Should read:
74	3714	2	9	the following bill was given first reading:
74	3714	2	20	given first reading:



**LEGISLATIVE ASSEMBLY OF ONTARIO  
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

**Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD**

**Speaker/Président: Hon/L'hon David Warner**

**Clerk/Greffier: Claude L. DesRosiers**

**Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries**

**Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller**

**Sergeant at Arms/Sergent d'armes: Thomas Stelling**

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Abel, Donald	Wentworth North/-Nord	ND	deputy government whip / whip adjoint du gouvernement
Akande, Zanana	St Andrew-St Patrick	ND	parliamentary assistant to the Premier / adjointe parlementaire du premier ministre
<b>Allen, Hon/L'hon Richard</b>	Hamilton West/-Ouest	ND	Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce
Arnott, Ted	Wellington	PC	Vice-Chair, standing committee on estimates / Vice-Président du Comité permanent des budgets des dépenses
Beer, Charles	York North/-Nord	L	Chair, standing committee on social development / Président du Comité permanent des affaires sociales
Bisson, Gilles	Cochrane South/-Sud	ND	parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs / adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones
<b>Boyd, Hon/L'hon Marion</b>	London Centre/-Centre	ND	Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine
Bradley, James J.	St Catharines	L	opposition deputy House leader / chef parlementaire adjoint de l'opposition
Brown, Michael A.	Algoma-Manitoulin	L	Chair, standing committee on general government / Président du Comité permanent des affaires gouvernementales
<b>Buchanan, Hon/L'hon Elmer</b>	Hastings-Peterborough	ND	Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
Callahan, Robert V.	Brampton South/-Sud	L	
Caplan, Elinor	Oriole	L	
Carr, Gary	Oakville South/-Sud	PC	Progressive Conservative deputy House leader / chef parlementaire adjoint du Parti progressiste-conservateur
Carter, Jenny	Peterborough	ND	parliamentary assistant to Minister of Citizenship / adjointe parlementaire de la ministre des Affaires civiques
<b>Charlton, Hon/L'hon Brian</b>	Hamilton Mountain	ND	Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et délégué à l'Assurance-automobile
Chiarelli, Robert	Ottawa West/-Ouest	L	
<b>Christopherson, Hon/L'hon David</b>	Hamilton Centre/-Centre	ND	Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
<b>Churley, Hon/L'hon Marilyn</b>	Riverdale	ND	Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
Cleary, John C.	Cornwall	L	
Conway, Sean G.	Renfrew North/-Nord	L	Deputy Leader of the Opposition / chef adjoint de l'opposition
<b>Cooke, Hon/L'hon David</b>	Windsor-Riverside	ND	Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'oeuvre
Cooper, Mike	Kitchener-Wilmot	ND	parliamentary assistant to Minister of Labour; assistant government whip; Vice-Chair, standing committee on resources development / adjoint parlementaire du ministre du Travail, whip suppléant du gouvernement, Vice-Président du Comité permanent du développement des ressources

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
<b>Coppen, Hon/L'hon Shirley</b>	Niagara South/-Sud	ND	Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs
Cordiano, Joseph	Lawrence	L	Chair, standing committee on public accounts / Président du Comité permanent des comptes publics
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne	London North/-Nord	PC	
Curling, Alvin	Scarborough North/-Nord	L	opposition deputy whip / whip adjoint de l'opposition
Dadamo, George	Windsor-Sandwich	ND	parliamentary assistant to Minister of Transportation / adjoint parlementaire du ministre des Transports
Daigeler, Hans	Nepean	L	Vice-Chair, standing committee on general government / Vice-Président du Comité permanent des affaires gouvernementales
Duignan, Noel	Halton North/-Nord	ND	parliamentary assistant to Minister of Consumer and Commercial Relations / adjoint parlementaire de la ministre de la Consommation et du Commerce
Eddy, Ron	Brant-Haldimand	L	Vice-Chair, standing committee on social development / Vice-Président du Comité permanent des affaires sociales
Elston, Murray J.	Bruce	L	opposition House leader / chef parlementaire de l'opposition
Eves, Ernie	Parry Sound	PC	Progressive Conservative House leader / chef parlementaire du Parti progressiste-conservateur
<b>Farnan, Hon/L'hon Mike</b>	Cambridge	ND	Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation
Fawcett, Joan M.	Northumberland	L	
Ferguson, Will	Kitchener	Ind	
Fletcher, Derek	Guelph	ND	parliamentary assistant to Minister of Citizenship / adjoint parlementaire de la ministre des Affaires civiques
Frankford, Robert	Scarborough East/-Est	ND	
<b>Gigantes, Hon/L'hon Evelyn</b>	Ottawa Centre/-Centre	ND	Minister of Housing / ministre du Logement
Grandmaître, Bernard C.	Ottawa East/-Est	L	
<b>Grier, Hon/L'hon Ruth A.</b>	Etobicoke-Lakeshore	ND	Minister of Health / ministre de la Santé
Haeck, Christel	St Catharines-Brock	ND	government whip; Chair, standing committee on regulations and private bills / whip du gouvernement, Présidente du Comité permanent des règlements et des projets de loi privés
<b>Hampton, Hon/L'hon Howard</b>	Rainy River	ND	Minister of Natural Resources / ministre des Richesses naturelles
Hansen, Ron	Lincoln	ND	Chair, standing committee on the Legislative Assembly / Président du Comité permanent de l'Assemblée législative
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	ND	First Deputy Chair of the Committee of the Whole House; Vice-Chair, standing committee on administration of justice / Premier Vice-Présidente du Comité plénier de l'Assemblée législative, Vice-Présidente du Comité permanent de l'administration de la justice
Harris, Michael	Nipissing	PC	leader of the Progressive Conservative Party / chef du Parti progressiste-conservateur
Haslam, Karen	Perth	ND	
Hayes, Pat	Essex-Kent	ND	parliamentary assistant to Minister of Municipal Affairs / adjoint parlementaire du ministre des Affaires municipales
Henderson, D. James	Etobicoke-Humber	L	
Hope, Randy R.	Chatham-Kent	ND	parliamentary assistant to Minister of Community and Social Services / adjoint parlementaire du ministre des Services sociaux et communautaires
Huget, Bob	Sarnia	ND	parliamentary assistant to Minister of Environment and Energy; Chair, standing committee on resources development / adjoint parlementaire du ministre de l'Environnement et de l'Énergie, Président du Comité permanent du développement des ressources



Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Jackson, Cameron	Burlington South/-Sud	PC	Chair, standing committee on estimates / Président du Comité permanent des budgets des dépenses
Jamison, Norm	Norfolk	ND	parliamentary assistant to Minister of Economic Development and Trade / adjoint parlementaire de la ministre du Développement économique et du Commerce
Johnson, David	Don Mills	PC	
Johnson, Paul R.	Prince Edward-Lennox-South Hastings / Prince Edward-Lennox-Hastings-Sud	ND	parliamentary assistant to Minister of Economic Development and Trade; Chair, standing committee on finance and economic affairs / adjoint parlementaire de la ministre du Développement économique et du Commerce. Président du Comité permanent des finances et des affaires économiques
Jordan, W. Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	ND	parliamentary assistant to Minister of Agriculture and Food / adjoint parlementaire du ministre de l'Agriculture et de l'Alimentation
Kormos, Peter	Welland-Thorold	ND	
Kwinter, Monte	Wilson Heights	L	
<b>Lankin, Hon/L'hon Frances</b>	Beaches-Woodbine	ND	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
<b>Laughren, Hon/L'hon Floyd</b>	Nickel Belt	ND	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
Lessard, Wayne	Windsor-Walkerville	ND	parliamentary assistant to Minister of Environment and Energy / adjoint parlementaire du ministre de l'Environnement et de l'Énergie
<b>Mackenzie, Hon/L'hon Bob</b>	Hamilton East/-Est	ND	Minister of Labour / ministre du Travail
MacKinnon, Ellen	Lambton	ND	Vice-Chair, standing committee on regulations and private bills / Vice-Présidente du Comité permanent des règlements et des projets de loi privés
Mahoney, Steven W.	Mississauga West/-Ouest	L	opposition chief whip / whip en chef de l'opposition
Malkowski, Gary	York East/-Est	ND	parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
Mammoliti, George	Yorkview	ND	parliamentary assistant to Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et ministre des Services correctionnels
Marchese, Rosario	Fort York	ND	parliamentary assistant to the Premier; parliamentary assistant to Minister of Intergovernmental Affairs; Chair, standing committee on administration of justice / adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales, Président du Comité permanent de l'administration de la justice
Marland, Margaret	Mississauga South/-Sud	PC	Chair, standing committee on government agencies / Présidente du Comité permanent des organismes gouvernementaux
<b>Martel, Hon/L'hon Shelley</b>	Sudbury East/-Est	ND	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Martin, Tony	Sault Ste Marie / Sault-Sainte-Marie	ND	parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
Mathysen, Irene	Middlesex	ND	parliamentary assistant to Minister of Environment and Energy / adjointe parlementaire du ministre de l'Environnement et de l'Énergie
McClelland, Carman	Brampton North/-Nord	L	
McGuinty, Dalton J.P.	Ottawa South/-Sud	L	
McLean, Allan K.	Simcoe East/-Est	PC	Vice-Chair, standing committee on government agencies / Vice-Président du Comité permanent des organismes gouvernementaux
McLeod, Lyn	Fort William	L	Leader of the Opposition / chef de l'opposition
Miclash, Frank	Kenora	L	opposition deputy whip / whip adjoint de l'opposition
Mills, Gord	Durham East/-Est	ND	parliamentary assistant to Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et ministre des Services correctionnels

Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
Morin, Gilles E.	Carleton East/-Est	L	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la Chambre et Président du Comité plénier de l'Assemblée législative
Morrow, Mark	Wentworth East/-Est	ND	
Murdoch, Bill	Grey-Owen Sound	PC	
Murdock, Sharon	Sudbury	ND	parliamentary assistant to Minister of Labour / adjointe parlementaire du ministre du Travail
Murphy, Tim	St George-St David	L	
North, Peter	Elgin	Ind	
O'Connor, Larry	Durham-York	ND	parliamentary assistant to Minister of Health / adjoint parlementaire de la ministre de la Santé
O'Neil, Hugh P.	Quinte	L	
O'Neill, Yvonne	Ottawa-Rideau	L	
Offer, Steven	Mississauga North/-Nord	L	
Owens, Stephen	Scarborough Centre/-Centre	ND	parliamentary assistant to Minister of Finance / adjoint parlementaire du ministre des Finances
Perruzza, Anthony	Downsview	ND	parliamentary assistant to Chair of the Management Board of Cabinet / adjoint parlementaire du président du Conseil de gestion
<b>Philip, Hon/L'hon Ed</b>	Etobicoke-Rexdale	ND	Minister of Municipal Affairs / ministre des Affaires municipales
Phillips, Gerry	Scarborough-Agincourt	L	
<b>Pilkey, Hon/L'hon Allan</b>	Oshawa	ND	Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales
Poirier, Jean	Prescott and Russell / Prescott et Russell	L	
Poole, Dianne	Eglinton	L	Vice-Chair, standing committee on public accounts / Vice-Présidente du Comité permanent des comptes publics
<b>Pouliot, Hon/L'hon Gilles</b>	Lake Nipigon / Lac-Nipigon	ND	Minister of Transportation, minister responsible for francophone affairs / ministre des Transports, ministre délégué aux Affaires francophones
<b>Rae, Hon/L'hon Bob</b>	York South/-Sud	ND	Premier, President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales
Ramsay, David	Timiskaming	L	
Rizzo, Tony	Oakwood	ND	government whip; Chair, standing committee on the Ombudsman / whip du gouvernement, Président du Comité permanent de l'ombudsman
Runciman, Robert W.	Leeds-Grenville	PC	Progressive Conservative chief whip / whip en chef du Parti progressiste-conservateur
Ruprecht, Tony	Parkdale	L	
<b>Silipo, Hon/L'hon Tony</b>	Dovercourt	ND	Minister of Community and Social Services / ministre des Services sociaux et communautaires
Sola, John	Mississauga East/-Est	Ind	
Sorbara, Gregory S.	York Centre/-Centre	L	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West/-Ouest	PC	
Sullivan, Barbara	Halton Centre/-Centre	L	
Sutherland, Kimble	Oxford	ND	parliamentary assistant to Minister of Finance / adjoint parlementaire du ministre des Finances
<b>Swarbrick, Hon/L'hon Anne</b>	Scarborough West/-Ouest	ND	Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	Progressive Conservative deputy whip / whip adjoint du Parti progressiste-conservateur
Villeneuve, Noble	S-D-G & East Grenville S-D-G & Grenville-Est	PC	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
<b>Ward, Hon/L'hon Brad</b>	Brantford	ND	Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances
<b>Wark-Martyn, Hon/L'hon Shelley</b>	Port Arthur	ND	Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé



Member/Député(e)	Constituency/Circonscription	Party/Parti	Other responsibilities/Autres responsabilités
<b>Warner, Hon/L'hon David</b>	Scarborough-Ellesmere	ND	Speaker / Président
Waters, Daniel	Muskoka-Georgian Bay	ND	parliamentary assistant to Minister of Culture, Tourism and Recreation / adjoint parlementaire de la ministre de la Culture, du Tourisme et des Loisirs
Wessenger, Paul	Simcoe Centre/-Centre	ND	parliamentary assistant to Minister of Health; Vice-Chair, standing committee on the Legislative Assembly / adjoint parlementaire de la ministre de la Santé, Vice-Président du Comité permanent de l'Assemblée législative
White, Drummond	Durham Centre/-Centre	ND	parliamentary assistant to Minister of Municipal Affairs / adjoint parlementaire du ministre des Affaires municipales
<b>Wildman, Hon/L'hon Bud</b>	Algoma	ND	Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones
<b>Wilson, Hon/L'hon Fred</b>	Frontenac-Addington	ND	Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement
Wilson, Jim	Simcoe West/-Ouest	PC	
Wilson, Gary	Kingston and The Islands / Kingston et Les Îles	ND	parliamentary assistant to Minister of Housing; Vice-Chair, standing committee on the Ombudsman / adjoint parlementaire de la ministre de Logement, Vice-Président du Comité permanent de l'ombudsman
Winninger, David	London South/-Sud	ND	parliamentary assistant to the Attorney General, parliamentary assistant to minister responsible for native affairs / adjoint parlementaire de la procureure générale, adjoint parlementaire du ministre délégué aux Affaires autochtones
Wiseman, Jim	Durham West/-Ouest	ND	parliamentary assistant to Chair of the Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs / adjoint parlementaire du président du Conseil de gestion, Vice-Président du Comité permanent des finances et des affaires économiques
Witmer, Elizabeth	Waterloo North/-Nord	PC	
Wood, Len	Cochrane North/-Nord	ND	parliamentary assistant to Minister of Natural Resources / adjoint parlementaire du ministre des Richesses naturelles
<b>Ziemba, Hon/L'hon Elaine</b>	High Park-Swansea	ND	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales
Vacant	Essex South/-Sud		
Vacant	Victoria-Haliburton		

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Anthony Perruzza, Tony Ruprecht

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**Resources development/Développement des ressources**

Chair/Président: Bob Huget

Vice-Chair/Vice-Président: Mike Cooper

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Sharon Murdock, Steven Offer, David Turnbull,

Daniel Waters, Gary Wilson, Len Wood

Clerk/Greffière: Tannis Manikel

**Social development/Affaires sociales**

Chair/Président: Charles Beer

Vice-Chair/Vice-Président: Ron Eddy

Jenny Carter, Dianne Cunningham, Randy R. Hope,

Tony Martin, Dalton McGuinty, Larry O'Connor,

Yvonne O'Neill, Stephen Owens, Tony Rizzo, Jim Wilson

Clerk/Greffier: Douglas Arnott





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## Legislative Assembly of Ontario

Third Session, 35th Parliament

## Assemblée législative de l'Ontario

Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 2 November 1993

# Journal des débats (Hansard)

Mardi 2 novembre 1993

Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

Greffier  
Claude L. DesRosiers



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A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month. A list arranged by riding and including ministerial responsibilities appears on subsequent Mondays.

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### **Listes des député(e)s**

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et dans le numéro du premier lundi de chaque mois. Par contre, une liste des circonscriptions inscrites dans un ordre alphabétique et comprenant les responsabilités ministérielles paraît tous les lundis suivants.



Tuesday 2 November 1993

The House met at 1331.

Prayers.

**The Speaker (Hon David Warner):** Statements by members.

**Mr Bernard Grandmaître (Ottawa East):** On a point of order, Mr Speaker: I think my colleague has a very important statement to make and I think a quorum should be present.

**The Speaker:** Would the table determine if there is a quorum.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

#### MEMBERS' STATEMENTS

##### NORTHWESTERN ONTARIO

**Mr Frank Miclash (Kenora):** Mr Speaker, I would just like to let you know that the statement is directed to the Premier and the cabinet, and I see three members of cabinet here.

The Northwestern Ontario Associated Chambers of Commerce are travelling from the northwestern portion of the province to address their resolutions to the Premier and cabinet tomorrow; that's if they can find them.

As many people will know, the chamber is an important voice for the citizens of northwestern Ontario. It is represented in 24 communities stretching from Manitowadge to the Manitoba border.

This year, the resolutions will be broken down into four groups dealing with crown land public policy; environmental regulations; small business, economic development and taxation, and of course transportation and human resources.

These are all important areas that are vital to growth in northwestern Ontario. It is sincerely my hope that the Premier and cabinet will give the Northwestern Ontario Associated Chambers of Commerce their attention on all of the resolutions as presented.

As well, my leader, Lyn McLeod, and I look forward to meeting with the chamber tomorrow to discuss these most important issues.

I have been asked, on behalf of the president and the delegates, to invite all members to attend this evening at the Chestnut Park Hotel to discuss and share the chamber's new focused direction for northwestern Ontario issues. I do hope all members will take time to attend this reception and discuss these issues.

#### SOCIAL ASSISTANCE

**Mr David Johnson (Don Mills):** In the 1982-83 fiscal year, Ontario spent \$930 million on social assistance. This year it is expected to spend more than \$6.3 billion, with a staggering 1.3 million people receiving help.

Yet the technology, the computer system, to handle

this growth has not changed significantly. It is not surprising, then, that the Provincial Auditor, in his 1992 report, concluded that 10% of the \$6.3 billion spent on the welfare budget was inappropriately allocated.

Two test cases in Metropolitan Toronto identified 16% fraud, which implies that there is a \$1-billion problem across the province of Ontario. This situation is an outrage to all taxpayers, including the majority of welfare recipients who are legitimately receiving assistance and who are desperately seeking employment.

In the absence of provincial leadership, Metropolitan Toronto has proceeded with a \$28-million on-line system that will have the capacity to automatically check the welfare rolls of other jurisdictions and other systems, such as immigration, and will pay for itself in less than two years.

The Ministry of Community and Social Services has a choice: to chase after all the many cases of abuse that are identified on a daily basis, or to implement an across-the-province system using current technology to eliminate the abuse before it begins.

#### BANKING SERVICES

**Mr Larry O'Connor (Durham-York):** I'm on my feet today to speak on behalf of some small business owners and people from the business community, perhaps even the chamber of commerce, because the CIBC, the Canadian Imperial Bank of Commerce, has decided to close a couple of small branches.

Now, I don't know why, when the Canadian Imperial Bank of Commerce decides that it's going to do a little bit of restructuring, it always reaches out into rural Ontario and decides to close a couple of small, profitable banks.

The reason I'm raising this today is because these branches are in Woodville and Little Britain. There are people in those communities who have banked there for over 40 years on a daily basis; like the IGA, for example. They go in there on a daily basis and the bank has decided: "We're going to do some corporate restructuring. We're going to close a few of those rural banks."

That's not good enough. The people of rural Ontario think that if they're going to decide to do some restructuring, they ought to start right down at Bay and King, wherever their headquarters are, and maybe close a couple of those top floors. It would surely, probably, save every rural bank right across the province, because these small, rural banks are a very integral part of the communities they're a part of. They make money for them. The people up at the top making hundreds of thousands of dollars aren't the ones who are turning the profits for the ones in the small branches in rural Ontario.

My colleague over here talked about the chamber of commerce, and I'm sure the chamber of commerce fully supports keeping rural banks open in rural Ontario.

#### REGIONAL GOVERNMENT RESTRUCTURING

**Mr Robert Chiarelli (Ottawa West):** Last May, MPP Evelyn Gigantes met with Ottawa regional mayors and

MPPs to discuss regional reform legislation. At that time, she undertook to have second reading by the end of June, in recognition of the serious time restraints for implementation before the next municipal election. This has not happened.

Evelyn Gigantes and the NDP have an obligation to the citizens of Ottawa-Carleton on the most significant bill since the Regional Municipality of Ottawa-Carleton Act was introduced in 1968.

The Minister of Municipal Affairs, Ed Philip, is shutting us down. If there are honest disagreements with respect to this legislation, then the government has the obligation to allow full and fair debate.

1340

I would remind the minister, on the point of whether regional mayors should be on or off a revised regional council, that both the Bartlett report and indeed the NDP's own investigator, Graham Kirby, recommended that regional mayors stay on regional council, and 10 of 11 municipalities in the region and the Association of Municipalities of Ontario want the mayors represented.

We know the game the minister is playing: to sit on this legislation as is, and then ram it through at the last minute and blame the opposition for being obstructionist.

The Minister of Municipal Affairs and Evelyn Gigantes must allow for full and fair debate on the most important legislation for Ottawa-Carleton in 25 years.

Come clean, Minister. Your undemocratic trickery won't wash with the people of Ottawa-Carleton.

#### CHILD POVERTY

**Mr David Turnbull (York Mills):** Yesterday, I was presented with hundreds of postcards from constituents calling for the elimination of child poverty that had been collected by the Body Shop. I was pleased to be able to tell them that our leader, Mike Harris, has continually urged the NDP government to establish a breakfast program in elementary schools.

A breakfast program in partnership with the corporate sector is an innovative way of addressing child poverty at little or no additional cost to the taxpayer. Hungry children, tired and uninterested in school, tend to do poorly and are more likely to drop out of school in later years.

The Conference Board of Canada estimates that, because of low literacy and numeracy skills associated with unacceptably high dropout rates, \$4.2 billion is lost annually due to employee mistakes and lost productivity.

The NDP government has spent \$17,812 to create a trade union song and \$30,000 for 20 Canadian auto workers to attend a seven-day workshop on labour humour. The Daily Bread Food Bank in Toronto estimates that that sum of \$57,812 could have provided a three-day supply of food for 2,569 children.

The NDP promised, during the 1990 election campaign, to eliminate the need for food banks. It hasn't, but its frivolous expenditures continue.

#### GOVERNMENT'S RECORD

**Mrs Karen Haslam (Perth):** It's been said that you shouldn't hide your light under a bushel, but that's

exactly what this government is doing. We have brought in many innovative pieces of legislation and continue to restructure the delivery of many other government programs. So, in the absence of upbeat and proactive news reporting of these projects, I plan to spend considerable time in the future reminding opposition members, my colleagues and the people of Ontario about the very good, very efficient programs and changes we are instituting.

We all know that 90 seconds are not nearly enough time to adequately address these items, but I will try, and when my time runs out I'll stop and take it up again next week when I stand to make a statement. That way, over the next weeks, possibly months, I will be able to cover everything.

To begin with, since November is the month we pause to consider violence against women, I'll start with these initiatives: "No man has the right to assault a woman" is the theme of the annual public education campaign each November during Wife Assault Prevention Month. This campaign is repeated in May, declared Sexual Assault Prevention Month by Ontario's NDP government.

The NDP government supports zero tolerance of violence against women. Whether she is a teenager on a date, a wife and a mother, an employee or a senior citizen, a woman has the right to live, work and travel free from the fear of harassment or violence.

Since taking office, the NDP government has supported this commitment with significant funding and program support.

**Interjection:** Time.

**Mrs Haslam:** My colleagues say "Time." I shall continue this the next week.

#### COMMUNITY RECREATION FUNDING

**Mr Hugh O'Neil (Quinte):** My comments are directed towards the government and especially towards the Minister of Culture, Tourism and Recreation. Today, they deal with her responsibility for recreation within the province of Ontario.

The recreation and sports communities are very concerned as to the erosion of government services and financial support to recreation in the province of Ontario. To quote some of the groups:

"The innovation and leadership in recreation that was once provided by the ministry within the province served as a model to be emulated by other provincial jurisdictions across Canada. That leadership is no longer evident. Financial programs and services developed by the ministry to support the advancement of recreation, sports and fitness have been systematically raided to support the spiralling cost of other government operations. Unless a balance is restored, government support to recreation will be reduced to little more than the financing of its own ministerial infrastructure instead of the required support of community development activities."

One example given is the Hockey Development Centre for Ontario, where overall grants for amateur hockey in Ontario have decreased 22% from 1992-93 levels. The same picture is taking place with other sports bodies.

Will you agree today to direct your deputy minister,



Elaine Todres, to set up meetings with yourself and groups such as the Ontario Municipal Recreation Association and the members located at the Ontario Sports Centre to discuss this crisis and to take action to restore recreation to its rightful place of importance in the province?

#### TEACHERS' DISPUTE

**Mr Ernie L. Eves (Parry Sound):** I rise in the House today to bring members up to date on the strike of the elementary panel of the East Parry Sound Board of Education. The strike is now in its 19th day and I'm continuing to receive telephone calls and letters from concerned students, parents, ratepayers and educators expressing their concerns about this matter. There's an overwhelming concern in east Parry Sound that the students' education is being jeopardized.

I know everyone in the House will be pleased to learn that the teachers and board will return to negotiation with a mediator tomorrow. I would like to take this opportunity to impress upon both sides the need to bargain in good faith. Both sides in this dispute must be prepared to compromise. The primary responsibility of the board and the teachers is the education of our students. It is imperative to get the students back into the classroom.

I firmly believe that no one wins in these situations, especially the students. That is why I am again asking the Minister of Education and Training to closely monitor these negotiations. If mediation fails, I would ask the minister to impose binding arbitration and legislate the teachers back to work.

#### SENECA COLLEGE CAMPUS

**Mr George Mammoliti (Yorkview):** For the umpteenth time, I stand in this place and try and get the Minister of Colleges and Universities to try and understand our position in Yorkview when it comes to our proposal for the proposed Seneca College site at Jane and Finch. Quite frankly, I'm getting a little antsy. I've got a report in my hand from Seneca College that, as far as I'm concerned, doesn't say anything in regard to where the Seneca College site should go.

We all know there's only one place for that Seneca College to go, and that's at Jane and Finch. No other community is organizing like Jane and Finch; no other community wants the site. From what I can gather, there isn't any other community that's organizing around this. This is the only community Seneca College should go in.

There's ample land in the Jane and Finch area for this site to go into. I'm asking again for the umpteenth time for the Minister of Colleges and Universities to try and understand the needs of the Jane and Finch community. I cannot sit by idly and watch statistics such as that 65% of individuals living in public housing and who are on social assistance are actually single parents. These people want a college and they want a college at Jane and Finch. I think it's time for us to make a decision and I'm quite anxious for the minister to listen to what I'm talking about today. I hope the announcement will come soon.

**The Speaker (Hon David Warner):** It is now time for oral questions and the honourable Leader of the Opposition.

**Mr James J. Bradley (St Catharines):** Where are all the ministers?

**Mrs Elinor Caplan (Orillia):** How can you ask questions? There's nobody here.

#### ORAL QUESTIONS

##### ONTARIO DRUG BENEFIT PROGRAM

**Mrs Lyn McLeod (Leader of the Opposition):** Fortunately, my question is for the Minister of Health, who is in the House today. Minister, yesterday I asked how you could even consider user fees for the cost of drugs for cystic fibrosis victims and their families. You told me essentially, "Don't worry, those are just proposals." You were going to consult very widely about the impact of the proposals and certainly consult with the families of cystic fibrosis victims.

Today I want to ask you about the impact of the \$10-million cut that you have already made to the special drugs program. On September 27, your ministry sent out a memo telling hospitals that this special drugs program had been cut by 25%. The memo tells the hospitals that if projected expenditures for the program appear likely to exceed the program budget, the ministry may have to cease providing 100% reimbursement.

1350

The Canadian Cystic Fibrosis Foundation wants to know what this cut will mean for its patients. They want to know if patients are now going to have to pay for their drugs if the hospitals exceed the budget you've set for them. Minister, will you tell us today what is going to happen to these patients and to their families as a result of these cuts? Are they going to have to start paying for their drugs?

**Hon Ruth Grier (Minister of Health):** I'm happy to assure the Leader of the Opposition and the families of people who are benefiting from the special drugs program that no, there is no intention that they would have to start paying for their drugs.

**Mrs McLeod:** I am extremely concerned that, maybe even without your own awareness, this is a back-door way to user fees for the drugs needed by cystic fibrosis patients. I know of no other way to explain what the memo from the Ministry of Health to the hospitals means when it says, "If you can't meet your expenditure cuts, we will not be able to provide 100% reimbursement." I simply don't know in what other way the cystic fibrosis foundation can interpret that.

I don't know what other way the Kidney Foundation of Canada can interpret that, and I don't think the kidney foundation is going to be really reassured, Minister. They've written to you because they feel that these cuts are going to affect kidney transplant patients, who now receive their anti-rejection drugs through the special drugs program. They have received no response. They have received no assurance from you that their patients will not have to pay user fees for the drugs that they need to maintain functioning transplants.

Your ministry has said that the \$10-million cut can be achieved through better administration, through eliminating waste. Do you really believe that you're going to find waste and inefficiency totalling 25% of this program?

What evidence do you have that these cuts will not affect access to needed drugs and that there will not be a requirement for the users of these drugs to have to pay user fees for them?

**Hon Mrs Grier:** I think it's important that I perhaps explain to everyone in the House that the special drugs program is a program whereby people suffering from a specific disease can have their drugs provided through a hospital. The program has been in place for some time. The program is very open-ended and based on need.

In an effort to provide better management for the entire health system, which is very much part of our government's approach to maintaining and protecting the services that the people of this province so cherish, we had an audit done of the special drugs program, and that audit indicated that there were many hospitals—not all—where there was not a clear line between the drugs that were provided for inpatients in the hospital and the drugs that were provided on an outpatient basis.

It showed that there were improvements that could be made in the purchasing practices for the drugs and it showed that improvements could be made in maintaining the inventories of the drugs and a distinction between those drugs that are part of the special drugs program.

In an effort to provide that better management, we have been working with the hospitals to improve their practices. As a result of that, we believe that there are considerable savings to be made in the special drugs program: savings that will be made through better management administration and practices, not savings that will be made by dint of denying anybody who needs the drugs the drugs that they need.

**Mrs McLeod:** Minister, exactly. You had a management audit that indicated that there could be some savings. You have, to the best of our knowledge, no indication that those considerable savings you have just talked about could equal 25% of the program.

You say that you're working with hospitals. The memo to hospitals telling them that this program had been cut under your expenditure control plan by 25% went out on September 27, which was already six months into their fiscal year. Six months into their fiscal year, you are telling hospitals that they are to find \$10 million by eliminating waste and inefficiency in their program, and you can stand in the House today and tell cystic fibrosis patients, kidney patients, AIDS patients, that there will no impact on their access to the drugs they need because hospitals will simply be able to find this \$10 million.

Minister, the special drugs program, I'm sure you agree, is an important program. It was put in place because people cannot manage the financial burden that they already face when they are victims of these diseases. Yesterday I asked how you could even consider a \$2,000 user fee for the victims of these diseases and their families and you said it was just a proposal. Now we found that you have introduced cuts which could well lead to user fees. Your memorandum clearly states that is possible.

Minister, once again I ask when you will stop making arbitrary decisions that affect the life and the health of

the people of this province. Will you give the cystic fibrosis patients, the kidney patients, the AIDS patients of this province an absolute assurance that you will cover 100% of the cost of these drugs?

**Hon Mrs Grier:** Let me say to the Leader of the Opposition, as I said to her yesterday, that we are looking at all of our drug programs. We have put out a discussion paper, which is predicated on how do we make it a more comprehensive and a fairer program for everyone involved and at the same time contain the costs. We have made no decisions with respect to those changes or with respect to the consultation and the feedback that we got. We are taking very seriously all of the comments and all of the responses that we heard.

I don't even think the Leader of the Opposition believes that we can continue to increase the drug programs at 14%, 16% per year, when we know that there are ways of managing them better so that we can both contain the costs and provide the services. I have no hesitation in saying to the recipients of the special drugs program that we have made no decisions that will change their eligibility as it now stands.

If they are getting those drugs now, regardless of however much was put in the estimates or what we estimate the savings will be, it's part of an open-ended program and the costs will be covered. But I have a responsibility, if we are to be able to maintain and continue these programs into the future, to make sure that I don't do it on the basis on which it was done in the past, which was that the Ministry of Health merely wrote the cheque without having any regard as to how it was administered, how it was managed and how we can make it cost-effective.

**Mrs McLeod:** Now the Ministry of Health simply makes the cuts without any consideration of the impact on the life and health of people of this province, and that is totally unacceptable.

#### JOBS ONTARIO TRAINING FUND

**Mrs Lyn McLeod (Leader of the Opposition):** My second question, in the absence of the Minister of Education and Training, will be to the Deputy Premier. Minister, I'm sure you are well aware that your government has promised to fill 100,000 Jobs Ontario Training positions by September 1994. That date is less than 10 months away and you may be interested to know that you still have nearly 80,000 jobs to go.

To fill all those jobs in such a short time, the Jobs Ontario Training program would have to place approximately 8,000 applicants per month. Unfortunately, you're nowhere near filling that many jobs per month. In fact, Jobs Ontario Training is only filling about 1,300 jobs per month. At that rate I would suggest there is no way you can meet the self-imposed and well-publicized target.

Minister, let me just simply ask, what do you believe are the problems with the Jobs Ontario Training program? Why do you think it's such a dismal failure?

**Hon Floyd Laughren (Deputy Premier):** There is no question that the Jobs Ontario Training program is more complex than other job creation programs that have been attempted by other governments—no question about



that—because it involves a child care component, it involves a training component, it involves getting people who are on social assistance or whose unemployment insurance benefits have run out and it involves a broker who helps arrange for a job, at which real training occurs on that job. So there's no question that this is a more complex training program than has been attempted by any other government.

I am very proud of the Jobs Ontario Training program. For the first time—certainly the first time in this province in my memory, which goes back a ways—a government has decided that it is going to do something about the obstacles that face women who have children at home, single mothers, to allow them to get into the workplace, and recognized that the unavailability of child care is an obstacle to that. This government is doing something about it in an attempt to give people the kind of training they will need so that they can get off social assistance, which the vast majority of them want to do, unless of course from time to time somebody tries to talk them into doing otherwise.

1400

**Mrs McLeod:** It may well have been a complex program, Minister; it's also a completely unworkable program, and it simply is not working. The program was created, I remind you, supposedly to provide training and to create new, long-term employment for people on social assistance, just as you have suggested. Over the past 18 months that the program has been in existence, we have cited many examples of problems with the program. We've suggested that the jobs are mostly low-skill jobs rather than the high-tech and high-skill jobs that are touted by your advertising. We've pointed out that the jobs are not guaranteed to be permanent jobs and in fact many are short-term.

I want to give you the most recent example of our concerns. Three months ago, Heaton Custom Goalie Equipment in Harrow, Ontario, hired several workers under the Jobs Ontario Training program. These people were put to work manufacturing hockey equipment and the employer received funding from the program, supposedly to pay for the training they received.

Last Thursday, Heaton had to lay off four permanent staff, all of whom had been with the company for a period of time. Those people are now on UIC, and yet every Jobs Ontario hiree was kept on. Company representatives have told us that they had to make a business decision to keep the Jobs Ontario people on and let the others go because the Jobs Ontario Training money was being used to subsidize their wages. It was cheaper to keep the Jobs Ontario Training workers and lay off the regular staff.

Minister, I ask you, does it make sense to you to have a job creation program that ends up replacing existing workers with the Jobs Ontario Training workers that you are supporting?

**Hon Mr Laughren:** No, I don't believe that's appropriate and we will have that investigated. But I can tell the leader of the official opposition that she may speak derisively of the Jobs Ontario Training program, but I'd ask her what she would do in order to help single

mothers get off social assistance and get back into the workplace trained for employment, because I can tell you what she did when she was in office: absolutely nothing.

I can tell you that I'd expect there to be some problems when you try to develop a program that is more complex, more meaningful, innovative, has never been tried before. Of course there are going to be some difficulties associated with that. But I can tell the leader of the official opposition that there's been in excess of \$60 million saved, avoided in welfare costs, since this program began.

The leader of the official opposition, having come through the 1980s where they spent money like there was no end of it, may not think that \$60 million in savings on welfare costs is significant, but I can tell you this government does.

**Mrs McLeod:** There's a very easy answer to what I would do. I would provide real training programs that work for the people who need them. That is not Jobs Ontario Training. We have said and we will say again that we believe Jobs Ontario Training is not a training program; it is providing wage support for people in jobs where no training is needed. I do not believe that Jobs Ontario Training is the job creation program you keep describing it as.

We've seen today and we've tried to show through this example that this program is causing people who already have jobs to lose their jobs to Jobs Ontario Training workers. Minister, I say to you, if these dollars are genuinely supposed to be for training workers, why don't you set up a program for training that really works? If this is in fact a wage subsidy program, call it a wage subsidy program, and then let's debate whether this is the best way to provide support for the jobs we want to see created.

**Hon Mr Laughren:** I think the leader of the official opposition misses the point entirely. What makes Jobs Ontario Training a valuable program is the way it brings the different components of the problem together. It provides assistance for child care. That's never been done before. Certainly you didn't do it when you were in government. It also is targeted to people on social assistance and whose unemployment insurance has run out. You didn't do that either. The leader of the official opposition can stand in her place and say, "We would have done this and we could have done that." That may be true, but you didn't.

#### WORKERS' COMPENSATION BOARD

**Mr Michael D. Harris (Nipissing):** My question is to the Minister of Labour. Minister, I have today obtained a draft copy of the management proposal on the WCB to the Premier's Labour-Management Advisory Committee. According to this document prepared for the management committee, you and the government and all of us are no longer facing a WCB unfunded liability of \$31 billion by the year 2014; in fact, as a result of changes that the Liberals made in 1989—the impact of which, I might add, was supposed to be neutral—the unfunded liability at the WCB will reach \$52.5 billion. Minister, if this is true, we are clearly facing a crisis at the WCB of astronomical proportions.

Could you confirm for us today that if no changes are made to the policies of WCB, we are facing an unfunded liability of \$52.5 billion by the year 2014?

**Hon Bob Mackenzie (Minister of Labour):** No, I can't confirm that this is what we're facing in the way of a liability. We knew there was a possibility of \$31 billion without any action being taken. Some action is being taken, and we have not yet had the reports from either the trade union group or the management group from the Premier's labour-management council.

**Mr Harris:** I do have a copy of the report from the management portion of that committee and I suspect that it was sent to me in fear that the labour representatives or you as minister or your party or cabinet would deep-six it.

The unfunded liability of the WCB is growing at a rate of \$2 million a day. This cannot be allowed to continue without completely bankrupting the system. The time for reform clearly is long overdue.

The proposal I received today outlines a series of reforms which, if implemented, will reduce the astronomical unfunded liability to zero by the year 2014. Included in this is a reduction in the benefit rate to 85% of net, a reduction in the cost of future economic loss awards and a modification of temporary compensation. These changes, as recommended by the management committee, will reduce the liability without significantly reducing benefits to injured workers and, as they say, will leave injured workers in Ontario at equal to or a higher rate than any province in Canada and any state that we have to compete with.

Are you willing to endorse these changes that will take the unfunded liability from the \$31 billion that's now \$50 billion-odd to zero by the year 2014? Will you endorse these changes?

**Hon Mr Mackenzie:** The leader of the third party should be aware that we recognize difficulties at the board. I've admitted it in this House many times. We recognize four or five main problems we are trying to deal with. One of them is the unfunded liability, which is the side that management usually comes at. The injured workers come at it at the side of the older workers' pensions, where they're very limited and inadequate to live on today. There is a question of the governance at the board, which we are taking a serious look at. There's a question of deeming, and there is also a question of enlargement or extension of any of the benefits that are available.

The concerns that are there were taken to the Premier's Council, both the union side and the management side, and presented to them. We asked them both for a report back to the Premier and that report is in the process of being prepared. I know it's finished from the management side, or at least a series of recommendations. The union side has not yet reported. Both of them will be reporting back within the next week or 10 days, and at that point in time we will look at what's in their recommendations and we will decide if there is something there we can work with or if this government then is going to have to take the initiative in what we do.

It was an effort, to begin with, to try and get the two sides involved in the process, looking at the problems that existed at the board.

1410

**Mr Harris:** Very similar reforms and proposals have taken place across this province—under effective leadership by the New Brunswick government. Similar changes as proposed by the management committee here were in fact made, and that's because employees and employers, management and union leaders alike, understood that by allowing the unfunded liability to escalate without reducing costs, you are only going to hurt injured workers in the long run.

The Premier asked for proposals and the Premier has received a proposal from the management working group. Their proposal recommends changes to leave injured workers in Ontario at least the highest paid in North America and in many cases higher paid than any others. In no case do these changes recommend that any province or any state have benefits to injured workers in excess of Ontario. That's what they propose.

They also propose these changes to reduce the unfunded liability to zero by 2014. While you are dithering, \$2 million a day in new unfunded liability is being added.

I would ask you this: Do you agree with the goal that the unfunded liability can't be allowed to go from \$31 billion to \$50 billion? The goal is zero. Do you agree with the time line of 2014, and do you have the courage to implement this plan or a similar plan to reduce this unfunded liability to zero in a reasonable time frame? Can you tell us that?

**Hon Mr Mackenzie:** Surely the leader of the third party would want to have the recommendations from both sides in before we quickly jump on to the one side that has the recommendations he's referring to and the documents he has. Surely the two groups should meet back again with the Premier and we should assess whether or not there is any further movement or any further ability to reach some kind of consensus agreement. That's exactly what we're try to do.

**Mr Harris:** They're all out busy forming their own party. Get on with changes now when they're before you.

**The Speaker (Hon David Warner):** Order. New question.

**Mr Harris:** My second question—

**Mr Paul Klopp (Huron):** It must hurt.

**Mr Harris:** Yes, it hurts me to see the formation of this new labour party. I thought they were all going to support me. But anyway, Mr Speaker, my second question—

*Interjections.*

**The Speaker:** Order.

**Mr Harris:** Well, I thought they should. I'm the only one fighting for the brothers and sisters in this province. I'm the only one fighting to get them back to work, to get fairness in the WCB. I don't know why they wouldn't support me.

**The Speaker:** And the leader's second question?



## HEALTH CARDS

**Mr Michael D. Harris (Nipissing):** My second question is to the Minister of Health on an issue that I notified her office about earlier today.

I have a copy of a letter from Lisa Harkness and Dr Chris Guiltinan. Just after their son Eric was born in August, they applied for his health card. Eight weeks later, it had not arrived, so they contacted OHIP. They were told that a card had been mailed to their Bathurst Street address four weeks earlier and that the card had already been used extensively. Minister, the Guiltinans have never lived on Bathurst Street and they had never seen Eric's health card. I wonder, Minister, since my office contacted your office today, if you have determined just how much money the health care system lost during the four weeks this card was missing.

**Hon Ruth Grier (Minister of Health):** Let me say thank you to the leader of the third party for giving us notice of his intent to raise this issue. I cannot at this point tell him whether in fact a card that had been sent in error to the wrong address has been used. I can tell him that the card was sent out on September 22. A replacement card was issued on October 22, at which point of course the first one was cancelled. So we are looking, as he said, at a four-week period.

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Hon Mrs Grier:** I asked, as soon as I was aware of this information, for an investigation into whether or not the card had been used, but I'm unable to give him that information at this point.

**Mr Harris:** They were told, when asked of the ministry, that the card had "already been used extensively," so the ministry had enough information to tell the parents that. I'm astounded that they haven't been able to tell you the same information, since clearly they know something had gone amok earlier on and you specifically, as the minister, have asked.

Not only, by the way, was the health card sent to the wrong address, but according to your ministry records, Eric's parents were living at separate addresses. This is also incorrect.

Obviously something is dramatically wrong with the whole computer system and in the issuance of health cards. Either an error was made by OHIP or someone has deliberately attempted to defraud the system. Have you determined which of these is the case, and what have you done to ensure that it does not happen again?

**Hon Mrs Grier:** I acknowledge that obviously an error occurred, and I say to the honourable member that in a system that has 11 million clients and that processes 10 million claims a month, errors do occur. It's unfortunate but it is also the fact. What has happened is that I have asked for an investigation of whether or not this card was used. If so, I can assure him that if it has been used and used inappropriately, it will be investigated and referred for charges if charges are warranted.

What has happened in order to make sure it doesn't happen again are the improvements to the system that I have outlined in this House on a number of occasions,

which are still in process and which are designed to make sure that we take the existing system, which we have all acknowledged is not as effective as it might be, and upgrade it so that we have a secure system. That's what we all want to do.

**Mr Harris:** Minister, we know that's what we all want to do, but Ontarians are increasingly getting little reassurance and have little faith in your efforts to crack down on fraud.

Last Tuesday, a Scarborough emergency room doctor discovered that a patient had three health cards in her possession. Each card had a completely different number but a similar name. The doctor later called the fraud hotline to report this. Your staff told this doctor they would not investigate unless he sent them a photocopy of these cards. This is the same response my staff received when they recently called an Owen Sound OHIP office to verify duplicate cards.

We have people calling the hotline. We have doctors, we have people reporting cases, and basically the answer from OHIP is, "Hire a private investigator, go out and seize all the cards, invade everybody out there." Nobody seems to be prepared to follow up on these.

Is this how you're dealing with the allegations of health card fraud in Ontario? If so, it's no wonder it's going ahead increasingly with immunity.

**Hon Mrs Grier:** Nothing could be farther from the case. As the member well knows, investigations have led to charges, which have been laid for the first time. But I want to say to him that to give a complaint over the phone and not provide evidence that in fact you have an inappropriate health card—

**Mr Harris:** They gave the name, they gave the patient, they gave the address, and they were told they had to go and investigate it.

**The Speaker:** Order.

**Hon Mrs Grier:** I think many of us in our constituency offices—

**Mr Harris:** You think doctors have got time to run around and investigate peoples' homes?

**The Speaker:** Order, the leader of the third party.

**Hon Mrs Grier:** —in dealing with any complaint, seek to have a copy of the letter or the facts that are being complained about.

I want to say to the member that I am delighted that doctors are taking responsibility and reporting when they believe there may be misuse. I hope his members will be supporting the amendments to legislation that are currently being discussed around Bill 50 which relieve doctors of liability should they report and which require them to report. That's one of the concrete steps our government is taking to deal with this issue, and I look forward to having the support of his members when that amendment to the legislation is dealt with both in committee and before the House.

## VISITOR

**The Speaker (Hon David Warner):** I would invite all members to join me in welcoming to our chamber this afternoon a long-serving member who served here during

the 1950s and 1960s who is seated in the members' gallery east: Mr Allister Johnston, the former member for Parry Sound.

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#### PROTECTION OF PRIVACY

**Mr Sean G. Conway (Renfrew North):** My question concerns justice policy and therefore will be directed to the minister of justice and the Attorney General.

Yesterday, Mr Tom Wright, the Ontario Information and Privacy Commissioner, tabled quite an interesting report. In that report and speaking to his report, Mr Wright, among other things, observed, quoting now from his press release attached to the report, that, "Ontario is in danger of developing a 'Big Brother is watching you'" attitude, that "Unchecked technological development is becoming a major threat to personal privacy" in this province and elsewhere, and he went on in many ways in the report to point to an Orwellian intrusion into the daily lives of the citizens in this province.

In your capacity as minister of justice for the province of Ontario, I was wondering how you respond to Mr Wright's observations and many of the recommendations contained in his just-released report.

**Hon Marion Boyd (Attorney General):** The Freedom of Information and Protection of Privacy Act is under the auspices of the Management Board secretariat, not the Ministry of the Attorney General, and I would expect that any detailed response to those recommendations is best directed to that minister.

**Mr Conway:** My question is about justice policy and it properly goes to the Attorney General. I want her comment about the delicious irony of, on the one hand, yesterday having this report tabled by Ontario's Information and Privacy Commission warning the province about an increased tendency to an Orwellian intrusion into the daily lives of this province and its citizens, and, on the same afternoon, this Legislature dealing with Bill 47, which contains a provision for photo-radar in this province.

Is the minister not aware that her government's policy providing for photo-radar is an exact example of the kind of Orwellian intrusion about which Mr Wright is properly warning the province? Is not the minister of justice, responsible for the civil liberties of us all, concerned that on one and the same day we have Mr Wright's report warning us about this kind of invasion of individual privacy and on the same day, we are debating in this Legislature an obnoxious piece of government policy which clearly depends on covert intrusion into the lives of citizens?

Would she not agree that one very positive step in response to Mr Wright's concerns yesterday would be to withdraw those portions of Bill 47—

**The Speaker (Hon David Warner):** Would the member conclude his question, please.

**Mr Conway:** —which deal with photo-radar? Clearly, they violate something fundamental in terms of the political culture of this province.

**Hon Mrs Boyd:** My answer simply is absolutely not. The job of any government is to balance the rights of its

citizens, and surely those citizens who are injured and killed year after year by aggressive, speeding drivers are of concern to any government. We are not intruding into the privacy of citizens of Ontario. We're intruding, as you describe it, and I would say we are taking care of the safety of Ontarians, and that is our job.

**Mr Gordon Mills (Durham East):** Incredible. A billion dollars a year it's costing all of us, and you say—

**The Speaker:** Would the member for Durham East please come to order. It's not good for our health to be upset.

New question, the honourable member for Etobicoke West.

**Mr Chris Stockwell (Etobicoke West):** The safety of the citizens, and I'm sure \$200 million has nothing to do with it. I move on.

#### BOBLO ISLAND

**Mr Chris Stockwell (Etobicoke West):** My question is to the Treasurer, the Finance minister of Ontario. Yesterday, I asked you about Boblo Island and the transaction that took place, the \$800,000 tax deferment, and I got some answers from you that I've reviewed today. I don't understand the sense they made, to be quite honest, considering that the transaction took place just a few months ago and we talk about five-year deferment, \$800,000.

What I would like to ask you today is very direct. There was a deal that was made between you and the parties who bought the land.

**Hon Floyd Laughren (Minister of Finance):** There was no deal.

**Mr Stockwell:** Well, I have a copy of the mortgage here, and in that mortgage there is a deal that was talked about between a deferment of \$800,000 on the purchase of this property subject to certain conditions.

I, and I'm sure some other people in the province of Ontario, particularly those in the Windsor and Essex area, would like to know what is in that deal, that contract. Could you please table that contract you signed with the proponents who bought the property so we may know once and for all what exactly they had to do to get the \$800,000 tax deferment from the beleaguered taxpayers in the province of Ontario?

**Hon Mr Laughren:** First of all, I didn't sign any contract with anyone on this matter. Secondly, the member for Etobicoke West should understand that when the non-resident made application to purchase this particular property, there was on it a bankrupt theme park, amusement park. If a piece of property is zoned recreational or agricultural, then the former Ministry of Revenue, now Ministry of Finance, has to determine some conditions under which that can be sold and on which a land transfer tax of 20% could be applied if certain conditions are not met.

Because that property was zoned as recreational, therefore a deferment is traditional in this matter and is dealt with by ministry officials—it never came to my attention or the attention of my personal staff whatsoever—and the condition was that they had to operate the amusement park, which is fairly traditional, that they'd



have to operate it for either a year or in this case the season; as it was a seasonal operation, that was the condition under which it was granted the deferment, which is perfectly normal.

**Mr Stockwell:** That's exactly what I asked yesterday and that's exactly what the developer told me yesterday, that he had to operate it for 75 days to get a deferment, and it was explained to me by the Treasurer how incorrect I was, that in fact it was a part of the Land Transfer Tax Act process that was put in place.

Let's be clear about this: An American developer from Seattle has walked in and made a purchase of some \$3.7 million. They've received an \$800,000 deferment from the provincial government. It's zoned recreational. They are now before the local council applying for rezoning to residential, thereby valuing the property in the neighbourhood of \$20 million, \$30 million, \$35 million.

This from the party talking about speculation tax days in the early, middle and late 1980s. You're allowing an American developer to walk in, buy a piece of property for \$3.7 million, give them an \$800,000 tax deferment, allow them to flip it for \$20 million, \$25 million, \$30 million, and the beleaguered taxpayer gets nothing in the way of land transfer tax that was put in place to protect against exactly that.

If this developer rezones it residential and flips the property, what protection does the taxpayer have in getting back the \$800,000 deferment that you gave an American-based developer?

**Hon Mr Laughren:** The member for Etobicoke West is trying to make a big issue out of this, but I would just remind him that if that non-resident had gone in and bought a recreational activity classified as a commercial theme park and operated it, it could then sell that for residential purposes without ever having paid any kind of extra—

**Mr Stockwell:** But he did it.

**Hon Mr Laughren:** If the member would just listen for one minute—without paying any kind of 20% penalty, because the 20% is a penalty for people who buy land and hold it and do not develop it. If they buy the land with the purpose of developing it, there is no 20% tax.

**Mr Michael D. Harris (Nipissing):** Yes, there is.

**Hon Mr Laughren:** No, there's not. If the company had come in, bought the property and said, "It is our intention to develop this property into condo development," for example, there would not be a 20% tax on that property. Those are the requirements under the Land Transfer Tax Act. I don't expect you to live with the burden or the guilt of legislation that your party brought in, but I would simply say to you that if—

**Mr Harris:** You gave them free money to operate it for a year.

**Mr Stockwell:** This is like Bill Player's flip.

**The Speaker (Hon David Warner):** Order.

**Hon Mr Laughren:** Look, if the member opposite—  
*Interjection.*

**The Speaker:** Order, the member for Burlington South.

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## HIGHWAY CONSTRUCTION

**Mr Norm Jamison (Norfolk):** My question will be directed to the Minister of Transportation. As you're probably well aware, there's an issue in my riding involving transportation, and that is Highway 6, new.

I know you've met with the community economic development committee that's been structured and put together in the county of Norfolk to hear their concerns about this particular new highway. The new Highway 6 linkage is essential to ensure the continued prosperity of the region. It enhances badly needed access to the multibillion-dollar industrial park complex; transportation is so vital to the future expansion of that facility.

Will the minister give the people of Haldimand-Norfolk and the business community in our area the assurance that Highway 6, new, will go through as scheduled?

**Hon Gilles Pouliot (Minister of Transportation):** Let me begin, with respect, by saying with all the sincerity at my command that this member, when it comes to development, creating jobs, addressing and sufficing the needs of the good people of Haldimand-Norfolk, has been a catalyst. He has been nothing short of a tower of strength. His diligence daily has made the development of Highway 6 a priority with this government.

What are we looking at? We're looking at \$125 million of taxpayers' money returning to the riding of Haldimand-Norfolk. We're looking at hundreds of jobs. We're looking at innovative ways to do business by having one whole contract done. But before we do this, we have to do the pre-contract work. We have to do some engineering. We have to do some design. We also have to accumulate properties. Property acquisition—one, two, three—leads us to 1994. That's when shovel-in-the-ground takes place. That's when the money returns to people—

**The Speaker (Hon David Warner):** Could the minister conclude his response, please.

**Hon Mr Pouliot:** —to provide, through the diligence of their member, that most essential of services, transportation; \$125 million to make the roads better in the province of Ontario.

## HEALTH BUDGET

**Mrs Elinor Caplan (Orléans):** My question is to the Minister of Health. I have in my hand a refrigerator thermometer that was hand-delivered to an Ontario doctor from your ministry. At a time when health care resources are so scarce and your ministry's direction, priority-setting and leadership are so very important, why are you spending your money on refrigerator thermometers?

**Hon Ruth Grier (Minister of Health):** That is a very good question. I don't know why we are spending money on thermometers. I undertake to find out what the purpose was and get back to the member as soon as I can.

**Mrs Caplan:** This refrigerator thermometer cost about \$2. There are almost 20,000 doctors in Ontario. You have wasted thousands of dollars on refrigerator thermometers.

I know that a dialysis machine costs about \$25,000. I know that pacemakers, which are in short supply, cost about \$6,000 each. I know that an IMED pump used for cancer chemotherapy costs about \$5,000. Each of these items that I've mentioned are badly needed by patients and by hospitals throughout this province.

Your ministry is spending money on refrigerator thermometers that are not even manufactured in Ontario. Why are refrigerator thermometers your priority? Will you commit today to review your capital spending in the ministry and ensure that taxpayers' money is properly used to make sure people get what they really need?

**Hon Mrs Grier:** Absolutely.

#### BUS TRANSPORTATION

**Mr Ted Arnott (Wellington):** My question is for the Minister of Transportation and it's of great interest to our tourism sector. You've promised Ontario's tourism operators that you'll be introducing legislation to allow for 45-foot motor coaches or tour buses on Ontario's highways. What are you doing to meet this commitment?

**Hon Gilles Pouliot (Minister of Transportation):** Surprise, surprise, but not for the Minister of Transportation. Members opposite, when using terminology—when defining the subject matter at hand, members of the opposition will say “the fullness of time.” With us, the fullness of time means very soon. You're getting your legislation—

*Interjections.*

**Hon Mr Pouliot:** Are you listening? The member opposite has asked me a very direct and pertinent question. He will have, I'm sure, the decency, the courtesy and the decorum to at least listen.

*Interjections.*

**The Speaker (Hon David Warner):** Order.

**Hon Mr Pouliot:** You're getting the longer—we don't even have to go through legislation; we can do it through regulation. Consider it done. Buy a ticket, board the bus, they will accommodate you and your colleague and the bus will be yet that much bigger. No problem; it's done.

**Mr Arnott:** The minister has known since June that the motor coach association and Motels Ontario, who are having their convention tomorrow in Niagara Falls, where I'm speaking—that this is an important issue involving the tourism sector. If it's so easy to introduce interim permits, why haven't you done it?

**Hon Mr Pouliot:** I wouldn't wish to place myself, but more importantly, the ministry, the government, under a state of siege. When the member addresses the convention tomorrow I know what he will say. I can quote verbatim what he will say. He will say that because of his diligence, because of his representation, he is able to deliver the good news. What's the food at the convention, because you do so many of them and you do it so well? Give them the good news that they have a chance to be like all other jurisdictions, have their rightful place under the sun. There is no impediment to progress of transportation. The buses are getting longer. From June to November is a few short months. We have to do things right. We have to do things reasonably and consistently.

It's good news; bring it to them.

#### ACUPUNCTURE

**Mr David Winninger (London South):** My question is to the Minister of Health. My question concerns the rights of qualified practitioners of acupuncture. A week ago I attended the opening of an acupuncture clinic in my riding of London South. The clinic is operated by Sayeeda Hosein, the first person trained and certified in Canada to practise traditional Chinese medicine, following four years of training. She will provide these services in a medical walk-in clinic where traditional and modern medicine work together and side by side to treat and heal illness and to promote wellness.

In provinces such as Alberta and Quebec, appropriate legislative provisions have been made for utilizing acupuncture in their health care systems and for utilizing suitable professional titles for practitioners. In Ontario, acupuncture is still an unregulated discipline. In light of the fact that acupuncture is a cost-effective and successful form of healing and in order to provide potential patients with a valid standard for choosing practitioners, when can we expect licensing for acupuncture?

**Hon Ruth Grier (Minister of Health):** As I'm sure the honourable member is aware, it is the Regulated Health Professions Act in this province that is the mechanism by which professions are regulated. I hope, and I think I have the support of all parties, that we move towards proclamation of that legislation by the end of this year. Under the Regulated Health Professions Act, there is the Health Professions Regulatory Advisory Council and that has already been set up. It was formed under the new legislation and it will be addressing issues of which additional professions might perhaps be regulated once the legislation is proclaimed.

I should say to the member, though, that when the Regulated Health Professions Act was passed, an exemption was written into it that allows acupuncturists to continue to provide the service that they do so that the service can continue to be provided within Ontario. The question of whether or not the public interest needs to be protected by legislation or regulation is what the Health Professions Regulatory Advisory Council will determine.

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**Mr Winninger:** Minister, in the meantime, pending the review by the Health Disciplines Review Committee, when will qualified practitioners of acupuncture be able to use the term “acupuncturist” or “doctor of acupuncture” or “doctor of Chinese medicine” or abbreviations thereof before or after their names?

**Hon Mrs Grier:** The title of “acupuncturist” is not a protected title. Practitioners can use that title now and will be able to continue to use it after the Regulated Health Professions Act is proclaimed, but let me say again that if the Health Professions Regulatory Advisory Council concludes that it is in the public interest to regulate practitioners who practise acupuncture, then it would follow that the issue of title would be looked into. What is critical is protection of the public interest, and that's what the Regulated Health Professions Act is designed to do.



## FOREST INDUSTRY

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a question for the Minister of Natural Resources. As the House would know, the forest industry employs about 64,000 people in this province and is worth nearly \$10 billion in income to the province of Ontario. On a regional level, forestry is vital to the economic and social wellbeing of this province and particularly the north. Fully 77 out of every 100 manufacturing jobs in the northwest are forest jobs.

Your government has no coherent policy to acknowledge the importance of this industry to the north and to the overall economy of this province. Instead, your government has increased stumpage fees by 43%, raised area charges by 100% and at the very same time cut back reforestation programs in our forests. Your failure to take positive action has placed Ontario's competitive position in the forest sector in serious jeopardy.

Minister, what do you have to say to the people of northern Ontario who work in and depend on the forest industry for their jobs, for their children's jobs and for their grandchildren's jobs, which your government has battered?

**Hon Howard Hampton (Minister of Natural Resources):** I don't know where the member gets his facts from, but allow me to correct them.

The province, through the period 1985 to 1990, did very little planning for the forest industry. As a result, very soon after 1990, we faced the spectre of the Spruce Falls paper company closing down, Abitibi Provincial in Thunder Bay closing down, St Marys and a number of sawmills. Our government has helped the industry turn those operations around. Spruce Falls today is producing a profit. Provincial Papers is breaking even when for years, when those folks were the government, the warnings kept coming out that the time was drawing near.

When those folks were the government, they signed energy purchase contracts with the province of Manitoba worth over \$13 billion without ever inquiring as to whether we needed the power. That has put Ontario Hydro in a terrible position. We are the government that has frozen hydro rates. We are the government that has taken action to help the forest industry.

**Mr Brown:** That's an interesting opinion held by a majority of one.

In northern Ontario, the present unemployment rate is 16%. Fred Miron, who happens to be the vice-president of the loggers' union, the IWA, was recently quoted about this very same issue, saying, "Maybe we should give them"—that's you—"a shot of Geritol and get them moving." Tim Gray, who is the executive director of the Wildlands League, has urged your government to make policy, saying: "This is the last chance. Our forests don't have a future unless we act now."

My question is, when will you recognize the economic and social importance of the forest resource in Ontario and implement policies that ensure its continued role within our society?

**Hon Mr Hampton:** Again, when we became the government in 1990 and we looked around for a forest

policy, we could not find one. We have had to work very hard in three years to consult with environmentalists, to consult with the pulp and paper industry, the lumber industry, first nations, the tourism industry, and to consult internationally with those people who buy our products about what our forest industry in the 21st century ought to look like. Someone should have been doing that before. We, upon becoming the government, have had to pick up the pieces.

Let me go further. What is implicit in the member's statement is that somehow we should give away our timber resources, our forest resources in this province. Alberta does not give away its natural gas and its oil; Saskatchewan does not give away its uranium and its potash; Manitoba does not give away its hydro. Our forest resources are valuable. Whoever utilizes them must be prepared to pay a market price for those resources.

## LEGAL AID

**Mr Charles Harnick (Willowdale):** My question is to the Attorney General. Yesterday I asked you if you thought it was right that a person convicted of drug smuggling by our courts should have an application for refugee status in this country paid for by the taxpayers of Ontario. Yesterday you did not answer that question. Minister, I will ask you again today, do you think that this is right?

**Hon Marion Boyd (Attorney General):** The legal aid plan is one of the key elements in the justice system which ensures fairness. Anyone who is accused of a crime or who requires legal help has the ability, as do all people who live in Ontario, to apply for legal aid. Then the Ontario legal aid plan, which is run by the law society, makes a determination as to whether or not that person is eligible under the rules that have been set up independent of the Attorney General's office in order to ensure that there is an arm's-length relationship between access to the justice system through legal aid and the political arm of government.

When the member asks me this question, I answer to him exactly the same as I did yesterday. My job is to reinforce the necessity for us, as a province, to ensure access to the legal system for those who are eligible under the plan.

**Mr Harnick:** Minister, you are sounding more and more like a lawyer every day and I'll tell you something: The job of the Attorney General is not to reinforce what an act says. The job of the Attorney General is to change it when the act is wrong.

What I want to know from you is, will you take concrete steps to ensure that government funds are not used by convicted drug smugglers to finance refugee applications in this province?

**Hon Mrs Boyd:** As I said yesterday, no, I have no intention of taking that action, because that would then mean the political arm of government was making a decision that a certain group of people were not eligible to access the legal system in this province. The decision will be taken by the immigration court as to whether or not a person has genuine refugee status.

When people are convicted of crimes, that does not in

any way infringe on their other rights as people who live in this country, so it is not appropriate for the member to suggest that this is just. I will say the member sounds less and less like a justice minister or a lawyer who is supposed to be an officer of the court in this province when he makes such a suggestion.

#### CHILD POVERTY

**Ms Jenny Carter (Peterborough):** My question is to the Minister of Community and Social Services. We're all aware that child poverty is a problem in Ontario. All children need a healthy environment in which they can grow and prosper. I can think of no more important issue than the future of our children.

The Body Shop in Peterborough presented me with postcards that express a concern about child poverty in Canada and encourage me as their representative and us as a government to develop innovative strategies to combat this problem. Could you tell us what you are doing to deal with this issue?

*Interjection.*

**The Speaker (Hon David Warner):** The member for York Mills is out of order.

**Hon Tony Silipo (Minister of Community and Social Services):** I thank the member for the question on an issue that she says is a very important issue and a problem which unfortunately has got worse because of the recession that we are all living through.

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As the member knows, what we are trying to do as a government is deal both in the short term with what we can do now—and I would point to some things such as the increase in subsidized child care spaces we are putting together and that we've put into the system 8,200 spaces over the last six months alone—and secondly, tackling the broader issue of poverty in terms of the supports we need to provide to people of low incomes to be able to support themselves and their families.

In that, certainly the initiatives under the social assistance reform, particularly the focus on addressing through a child income program a benefit that would be provided to all low-income Ontarians for their children on a monthly basis, is also a clear indication of one of the ways in which we believe we can tackle and make some inroads in tackling the issue of poverty in this province.

#### PETITIONS

##### INFERTILITY

**Mr Gary Carr (Oakville South):** I have a petition to the Legislative Assembly of Ontario:

"Whereas infertility is a disease which affects approximately one in six couples; and

"Whereas treatment of infertility is already a two-tiered system; and

"Whereas delisting of this valuable service will escalate the situation; and

"Whereas patients already pay fees for services not covered by OHIP; and

"Whereas drug coverage is often very limited; and

"Whereas infertile people are entitled to the same level of health care as the general population,

"We, the undersigned, respectfully petition the Legislature of Ontario to continue to list infertility as an insured service under OHIP."

#### ANTI-RACISM ACTIVITIES

**Mr Drummond White (Durham Centre):** I have here a petition with some 1,500 names on it brought forward by the CAW, Local 222's human rights committee. It says:

"To the Legislative Assembly of Ontario:

"Whereas with the increasing number of racially motivated beatings and hate-related attacks on people of ethnic minorities by neo-Nazi thuggery and white supremacist groups like the Heritage Front;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass tough legislation without delay outlawing the distribution of any form of hate literature or taped telephone messages based on racial or ethnic superiority or hatred by any individual or group, and also ban the display of flags bearing swastika and the wearing of Nazi regalia in public.

"We further demand that any individual or group found guilty of violating such anti-racism laws be subjected to severe penalties up to and including three-year prison sentences."

We have here representing that committee Dave Patterson, the vice-chair, Ramesh Syal, Dave Patterson's wife, Roberta, and son Daniel and one of our pages, Patricia, also of the Patterson family. I sign this petition with great pleasure and dedication, as it is a significant action with petitions from all across our country and all across our province.

#### GAMBLING

**Mr James J. Bradley (St Catharines):** I have a petition from a number of people concerned about gambling.

"To the Legislative Assembly of Ontario:

"Whereas the New Democratic Party government has not consulted the citizens of the province regarding the expansion of gambling; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas creditable academic studies have shown that state-operated gambling is nothing more than a regressive tax on the poor; and

"Whereas the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling; and

"Whereas the government has not attempted to address the very serious concerns that have been raised by groups and individuals regarding the potential growth in crime;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos and refrain from introducing video lottery terminals in the province of Ontario."

I will be affixing my signature to this petition as I'm in agreement with its contents.



## HIGHWAY SAFETY

**Mrs Elizabeth Witmer (Waterloo North):** Even though the Minister of Transportation indicated today in the House to me that no one cares about the median barriers on the Conestoga Parkway except me, I have a petition here that supports the coroner's jury recommendation to install these barriers now before any more deaths occur. I have letters from municipal councils and the Waterloo County Board of Education asking for the immediate installation of barriers, I have petitions here that have been signed by over 1,300 people and we've received hundreds of other signatures.

This comes from two boys, Ryan Short and Derek Fiddler, friends of the boys who were killed in the latest accident, and it reads as follows:

"We, the undersigned, hereby petition the region and the province of Ontario to immediately invoke and follow the jury recommendations arising out of the death of Laurie Brain, which occurred on the Conestoga expressway, and more particularly for the installation of median guard rails and reconstruction of the roadway to make it safe for the travelling public of Ontario."

I hereby affix my signature to a petition which is of great importance to the people of my community, and I hope the Minister of Transportation will respond.

## PICKERING AIRPORT LAND

**Mr Larry O'Connor (Durham-York):** I've got a petition here to the Legislative Assembly and to the Lieutenant Governor of Ontario.

"Whereas the previous Conservative federal government intended to dispose of surplus lands on the Pickering airport site that are agriculturally rich and environmentally sensitive; and

"Whereas the residents have not been informed of the last federal government's plan of sale; and

"Whereas they did not include them in the process;

"We, the undersigned, petition the Legislature of Ontario as follows:

"Therefore, that the provincial government of Ontario request that the new Liberal federal government of Canada initiate a public review by panel of the federal Minister of the Environment to ensure an organized disposal protecting these rural resources and the community of residents therein."

I am pleased that the newly elected MPs that are part of the Liberal government also support this, and I affix my name to this.

## EDUCATION FINANCING

**Ms Dianne Poole (Eglinton):** I would like to read a petition from my constituents of Eglinton riding. It is addressed to the Legislative Assembly of Ontario:

"Whereas the Metropolitan Separate School Board educates 29% of the students in Metropolitan Toronto but has access to 20.7% of the residential assessment in Metro and only 10.7% of the corporate and commercial assessment; and

"Whereas the current per-pupil cost of operation at the Metropolitan Separate School Board is significantly less than the comparable per-pupil cost of operation in the

Metro Toronto School Board," and then they give specific statistics for both elementary and secondary panels;

"We, the undersigned, petition the Legislative Assembly of Ontario to introduce a bill to reform education finance so that every child in the province of Ontario has the same access to equal funding and quality education."

This is signed by 90 parents of Blessed Sacrament school in North Toronto, and I will affix my signature.

## VITAL SERVICES FOR TENANTS

**Mr David Turnbull (York Mills):** I have a petition addressed to the Legislative Assembly of Ontario and it reads:

"Whereas tenants suffer undue hardships when landlords break an obligation to provide vital services such as electricity, gas and hot water; and

"Whereas most municipalities are not fully empowered to compel such landlords to rectify the matter;

"We, the undersigned, hereby request the government of Ontario to enact David Turnbull's private member's bill, An Act to amend the Municipal Act in respect of vital services by-laws, to give Ontario municipalities the authority to quickly restore vital services to occupants of rented premises when landlords fail to do so."

I too affix my signature to this, and it is signed by many dozens of constituents from my riding.

## INFERTILITY

**Mrs Margaret Marland (Mississauga South):** I have a petition to the Legislative Assembly of Ontario with regard to the OHIP funding for infertility.

"Whereas infertility is a disease which affects approximately one in six couples, or 500,000 Canadians; and

"Whereas treatment of infertility is already a two-tiered system; and

"Whereas delisting of this valuable service will escalate the situation; and

"Whereas patients already pay cyclical fees for services not covered by OHIP; and

"Whereas drug coverage is often very limited; and

"Whereas infertile people are entitled to the same level of health care as the general population,

"We demand that infertility continue to be listed as an insured service under OHIP."

Mr Speaker, I'm happy to add my signature and support to this petition.

1500

## OPPOSITION DAY

## CANCER TREATMENT

Mrs McLeod moved opposition day motion number 3:

Recognizing that, since taking office, the NDP government has failed to put in place appropriate mechanisms for the increased demand for cancer treatment; and

Whereas the number of Ontario residents being diagnosed with cancer is growing at about 45,000 per year; and

Whereas two out of three families will have a family member diagnosed with cancer; and

Whereas there are concerns that patients will receive timely treatment; and

Whereas physicians are performing procedures such as surgery due to concerns that less invasive treatment, such as radiation, may not be available on time; and

Whereas the government has set no standards with respect to radical cases as opposed to palliative care; and

Whereas 85% of all cancer cases occur in people over the age of 55; and

Whereas lung cancer continues to be the leading cause of death among all cancer patients, yet despite its commitment in 1991, the NDP government has taken no action on its proposed tobacco act; and

Whereas waiting lists at cancer units in Ontario frequently exceed the standards for optimum care set by the Canadian Association of Radiation Oncologists; and

Whereas the Minister of Health has repeatedly said that hospitals must find the money to perform bone-marrow transplants within global budgets without providing any funding assistance; and

Whereas the government has not undertaken human resource planning to ensure an adequate pool of radiation oncologists, radiation therapists, and medical physicists; and

Whereas the NDP government has created a climate that is encouraging more and more physicians to leave the province,

Therefore the Liberal caucus calls on the NDP government to admit its failure to develop a coherent, effective, cancer strategy; and to initiate a broad cancer care program ranging from prevention to long-term care in a province-wide coordinated approach; and to start work immediately with hospitals, communities, cancer centres, and patients to take all necessary steps to clear up the backlog of treatment cases in the province and ensure no further backlog occurs and that all residents of Ontario receive the cancer care they need when they need it.

**Mr Murray J. Elston (Bruce):** On a point of order, Mr Speaker: I believe the agreement has been made that the three parties will split the time equally. Mrs McLeod is to lead off, and we'll then go in rotation.

**The Deputy Speaker (Mr Gilles E. Morin):** Before we start, permit me to read the following procedure. Pursuant to standing order 34(a), the member for Renfrew North has given notice of his dissatisfaction with the answer to his question given by the Attorney General concerning photo-radar. This matter will be debated today at 6 pm.

**Mrs Lyn McLeod (Leader of the Opposition):** We raise this issue today because as members of the Liberal caucus we are hearing a great many concerns from people across the province about access to cancer treatment in Ontario. We hear about delays in receiving the treatment that's needed. We hear from those who are forced to travel great distances for treatment because it's not available in their own communities.

I can tell you that as a member from northern Ontario, we're used to having a concern about having to travel distances to receive medical treatment, but in this case

we're talking about people from the greater Toronto area, who could reasonably expect that the treatment would be available here in this city, but who ironically are having to leave this area to travel to northern Ontario for cancer care.

We're hearing about the shortage of trained specialists to be able to deliver care. This week, we have been particularly concerned to hear, from reports and from a study that has been done by the Institute for Clinical Evaluative Sciences, of decisions to provide more radical surgical treatment than would be necessary because of the delays that people are experiencing in waiting for radiation therapy.

We in our caucus believe it is unacceptable that we should not be able to provide access to cancer care that people need when they need it. We believe the people of this province need reassurance that care will be available when they need it, when a family member needs it, when a friend needs it. We all know that almost every one of us has in some way been touched by the reality of cancer and the terrible toll that it takes on both its victims, on families and on friends. That is why we believe this has to be the highest priority for government even in these difficult financial times.

Responding to the need, and an increasing need, for cancer care is without doubt a challenge. It's a challenge that has been building for a very long time. I think the statistics actually tell much of the story. In 1993, an estimated 116,200 new cases of cancer will be diagnosed in Canada and an estimated 59,700 deaths will be caused by cancer. This compares with 1991, just two years earlier, when 21,565 new cancer cases in men and 20,207 new cases in women were diagnosed in Ontario. In that year, 21,400 deaths were caused by cancer. You look at those statistics and you realize that is only two years ago: just half the numbers of new cases and half the deaths that we are told we can expect from cancer this year.

By the year 2000, mainly due to an aging population, the Ontario Cancer Registry predicts that there will be 30,000 new cases of cancer in men and 28,000 new cases in women in the province of Ontario.

Those statistics alone are cause for concern and demand a response from government. But I have to tell you that our concern has become even greater when we see that the minister, rather than deal with the need for response to these very real challenges, appears more ready simply to blame the doctors of this province than to determine what the problem is and what the government can and should be doing about the problem.

The hospitals and the cancer treatment centres of this province have become more and more frustrated as they try to respond to a growing need with less and less resources, and this government just chops away at their budgets and responds to every crisis by expecting the hospitals simply to do more.

We have raised a concern about a decision that the Princess Margaret Hospital was faced with to discontinue doing bone-marrow transplants, and the response of the minister was to say, "Well, I will tell the Princess Margaret Hospital that it will simply have to do them."



We expressed a concern about too many mastectomies that were being done because of a lack of access to radiation therapy. The minister's initial response was to say that she would pressure the hospitals and doctors into doing more lumpectomies. At the last moment she has now provided—and we're appreciative, glad to see it—a million dollars to be able to hire the radiation therapists who were about to graduate and have no jobs to go to in the province of Ontario, as desperately as we needed those radiation therapists to provide the radiation therapy that these patients will need.

We asked very recently why the Bayview cancer centre was going to be shutting down for two days, a day in October and a day in November, and why, in shutting down in October, it was going to be turning already-booked patients away. We were told that it wasn't the social contract that was causing the clinic to be shut down; it was just regular maintenance of its equipment. We had to wonder why anybody would cancel already-booked patients to carry out regular maintenance of their equipment. Again, this minister and this government refused to understand the reality of the problem that our hospitals and our cancer centres are trying to deal with.

We've tried to talk about the concerns of people in isolated communities as well as in the greater Toronto area, the concerns of people who have to travel long distances to be able to get the care they need, and in the case of cancer care, who have to do that on a repeated basis, and we're told that somehow we just don't understand what's happening.

Well, we want to understand. We want to find out what the facts of this situation are, because we are genuinely concerned. We want to find out where there are problems. We want to know what they are. We want to know why the problems exist. We want to know, if there is a growing crisis, what can be done to respond.

That is exactly why we have set up a task force on cancer care, which will begin its hearings tomorrow in Kingston. The goal of our task force is to find out the facts of the situation and to bring back to this government recommendations that we will urge the government to take action on to restore faith in access to cancer care in this province.

1510

There are some facts that we already know. We know that the Canadian Association of Radiation Oncologists has set a standard of four weeks between diagnosis and treatment as the maximum waiting period. We know that while most serious cancers such as brain and spinal cord receive treatment within this time frame, many cases of radiation therapy for prostate and breast cancer exceed this four-week period. We know that three quarters of those with cervix, larynx and lung cancer have to wait longer than a month for radiation treatment.

We know that over the past decade, the waiting lists for treatment of cancers of the breast, cervix, larynx, lung and prostate have doubled. We know that women in the Metropolitan Toronto area awaiting radiation treatment are being given two choices: Wait and risk further development of the disease or travel to northern Ontario for six weeks, largely at their own expense, to obtain

timely treatment. We know that the waiting list for radiation treatment in Hamilton is six weeks, two weeks longer than that recommended by the Canadian Association of Radiation Oncologists.

We know that the minister has said, in what we consider to be yet another crisis response, that she will seek an exemption on foreign-trained cancer specialists so that they can practise here, and yet we know that only four of 11 radiation oncologists who graduated in this province in June 1993 have chosen to stay in Ontario to practise.

We know all of these facts and we believe that we should be asking why and that we should be asking what can be done about it.

As we raise these issues today, I want you to know that this is not some new-found cause that our caucus has just recently decided to advocate. I want to take you back to 1989 and 1990 when we were in government, when our colleague, who was then Minister of Health, was working with cancer care providers to set out a cancer strategy and a proposed new cancer act.

I recognize that this was some three, four years ago, and that we were already concerned at the time with the realities of the increasing demand for cancer care and that we were concerned about how we could respond. I want to take a moment to just indicate what was being achieved, what was being put in place at that time.

The Liberal government of that day was responsible for instituting the breast cancer screening program which one of my colleagues will speak to in greater detail later. The cancer patient referral office was established in October 1989 to help ease the temporary pressure on the system caused by a shortage of radiation therapists. The office closed on March 30, 1990. Referrals were down, more radiation technicians had joined the system and more machines had come on stream. The Ministry of Health committed more than \$200 million to the Princess Margaret Hospital to create a state-of-the-art facility for cancer research and treatment.

In 1989, the Liberal government announced \$42 million for expansion, improvements and equipment for the province's eight regional cancer centres, and this funding included \$18 million for construction and radiotherapy equipment at the Ottawa Regional Cancer Centre, the expansion to be completed in 1993.

The funding also included \$2.5 million in annual operating costs to the Kingston Regional Cancer Centre, and \$779,000 in one-time funding allowed an additional 500 to 600 radiation therapy cases to be handled in Kingston per year.

The Ministry of Health at that time established a cancer manpower committee to evaluate the radiotherapy technologist needs and to study cancer manpower needs in general, and this committee was to have reported to the minister in May 1990. The Ministry of Health asked the federal government to speed up immigration proceedings for radiotherapy technicians from Britain and the federal government had given its approval.

Mr Speaker, I would suggest to you that under the Liberal government, cancer care was indeed a priority. It

was one of the specialty areas where the ministry knew, where we knew, that we had to commit our resources.

We were particularly concerned to put in place the planning and the processes that would allow for a coordination of cancer care services in this province. We were concerned to work cooperatively with all the partners to provide quality, cost-effective care. The goal of that kind of planning and that kind of coordination, the goal of committing these kinds of resources to what we consider to be an urgent critical priority, the goal of that was to ensure that future challenges could indeed be anticipated and would be addressed.

That was three years ago, and today I am concerned that in spite of the early efforts that were made to provide for coordination and a cooperative planned approach to deal with the demands that we knew were building, we still have a crisis response and no one in the health care provider field knows how they're going to cope with whatever is going to come tomorrow.

I do not believe this is good enough. I don't believe it's good enough for the people of this province. I don't believe it's good enough for those who are cancer patients, for their families, for their friends, for all of us who know that this disease could affect any one of us or our families or friends. Even in tough financial times we have to make quality health care a priority and we have to act to restore confidence that our critical health care needs will be met.

**The Deputy Speaker:** Any further debate? The member for Mississauga South.

**Mrs Margaret Marland (Mississauga South):** Mr Speaker, we're not having questions and comments in this debate?

**The Deputy Speaker:** No, it's opposition day and there are no questions or comments. Do you wish to take the floor? Do you wish to make an address?

**Mrs Marland:** Will we miss our time if I relinquish the floor at this point, or will we still have our whole hour when the rotation comes around? Because I wasn't scheduled to be the first speaker.

**The Deputy Speaker:** I'll go to somebody else.

**Mrs Marland:** We still have the time?

**The Deputy Speaker:** Yes. I'll go to somebody else. Any further debate? The member for Port Arthur.

**Hon Shelley Wark-Martyn (Minister without Portfolio in Health):** I want to begin by saying that our government feels that this debate is not a time to play politics. This issue is too important to be used in such an opportunistic way. This is a frightening disease that, sadly, we see all too often. I think it is self-evident that every member here wants to see cancer wiped out. I think there is not a member here who does not hope for science to find a key to cancer and the cure. We are all united in that, I have no doubt. I am equally sure that no other member of the Legislature speaking today will want to use this debate for anything but the most serious and honourable of purposes.

There is not one of us here who has not been touched in one way or another by cancer, who has not seen the

suffering and anxiety it causes a person and his or her family and friends. Sadly, our experiences with this awful disease are growing more frequent, for as the population ages we are seeing more Ontarians develop cancer. It is partly a result of modern medicine's ability to keep people alive longer that we see an upsurge in the incidence of cancer. The longer people live, the more likely they are to develop cancer, and the rate at which people die from cancer rises sharply with age too.

Two out of every three people who die from it are over 65 years of age, and there are those types of cancer that develop more often with age. Men over 65 are more likely to develop prostate cancer. Women over 65 are more likely to develop breast cancer. There are, of course, other factors besides age that can account for whether a person develops one or another type of cancer: family history, hormonal or other biological changes, diet, tobacco and alcohol use, workplace exposure to carcinogens, and there are more. We are daily gaining knowledge about this and others, and from that knowledge we are learning the wisdom of prevention, we are learning the value of early diagnosis.

I side with those who believe cancer can be beaten. I equally side with those who know some cancers can be prevented. For the past 40 years efforts to deal with cancer here and around the world have been devoted to research, treatment and the search for a cure. In 1992, the Ministry of Health spent more than \$1 billion on cancer treatment programs and services. We will spend that much again this year, but our government has recognized, and the Minister of Health has stated publicly many times, that prevention of disease and promotion of healthy living needs more effort.

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Our government knows that for people to have longer and healthier lives we must work together to avoid the behaviours and conditions that lead to the disease. We must lessen the number of times a family doctor has to tell a patient that he or she or their loved one has cancer. Not to increase our efforts in this direction would be irresponsible.

There are places to start on prevention. There are cancers to reduce: 25% to 30% of all fatal cancers are caused by tobacco. Lung cancer rates in women are up. Lung cancer is the leading cause of death overall, but tobacco does not stop its grim toll there. It is linked to cancers of the lip, tongue, soft palate, larynx, oesophagus, pancreas, kidney and bladder. Moreover, the link between exposure to secondhand smoke and cancer have been cited time and again.

Our government continues to provide money to public health authorities to help people quit smoking. The public health branch of the Ministry of Health devotes great effort in this same direction, and recently our government unveiled in this House our tobacco strategy. The ministry's targets for tobacco use which were adopted by the government in 1992 include the elimination of tobacco sales to minors by 1995, making all workplaces, schools and public places smoke-free by 1995 and reducing tobacco sales in Ontario by 50% by the year 2000.

To achieve these targets, the Ministry of Health is



developing a media and public education campaign, funding resource centres to assist local groups, providing additional funds to local boards of health for tobacco use prevention, supporting the Ontario tobacco research unit, producing educational resource materials and, yes, anticipating the introduction of legislation in a timely manner.

It is our sincere hope that the honourable members of the opposition and other members will recognize the need for quick and effective legislation and in consequence lend their support thereto.

These new commitments will be backed up by new funding of some \$12.4 million to reduce tobacco use throughout the province.

Our tobacco strategy is based on scientific research. Part of the way we will prevent it is through legislation, but that is only one component. A similar program in the United States is the National Cancer Institute stop-smoking intervention study. This program shows that a comprehensive program must be based on different approaches such as media campaigns, policy development and program services. It must be delivered in different settings such as schools, homes, health care places, workplaces and wherever else possible throughout the community.

Tobacco causes five times more deaths each year in Ontario than AIDS, traffic accidents and suicides combined. While smoking has declined steadily in Ontario in recent decades, we need to see more happen.

We know that in 1990, 32% of men in Ontario smoked and 27% of women smoked. We cannot let those numbers stand. Our government is determined that they will not stand. Helping people to quit smoking or, better yet, never start, is encouraging people to develop healthier ways of living.

What we put inside our bodies, be it smoke or anything else, of course has an impact on our health. Alcohol is not often thought of in terms of cancer, but we know its links with the disease. About 10% of fatal cancers are linked to alcohol, among them cancers of the larynx and the oesophagus. Recently it has been linked to increased risk of breast cancer.

Our government is progressing with its strategy on substance abuse. Alcohol abuse is a primary component. Prevention again is our best opportunity for reducing illness and early death.

There is already a good deal of our government's energy being used to promote healthy lifestyles and healthy communities. Just to mention a few, the Ministry of Environment and Energy has developed standards and regulations that reduce or eliminate exposure to hazardous substances in the environment.

**Mr Chris Stockwell (Etobicoke West):** On a point of order, Mr Speaker: I think we should have a quorum for the debate.

**The Deputy Speaker:** Would you please check to see if there is a quorum.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Deputy Speaker:** The member for Port Arthur may continue.

**Hon Ms Wark-Martyn:** The Ministry of Labour carefully regulates the use of hazardous substances in the workplace, and there is our government's forthcoming Environmental Bill of Rights. Controlling the use of toxic and hazardous substances will help to prevent cancer in the future.

They combine with the work of the Ministry of Health. There is a growing body of evidence linking some kinds of cancer to dietary fat. Healthy lifestyles and heart health promotion programs are funded by the ministry and organized by communities. They encourage Ontarians to eat less fat, drink less alcohol and to consume more fibre. These programs have the potential to prevent, delay or reduce a range of chronic diseases, including cancer.

In addition to providing funding, the Ministry of Health is active in creating programs and providing other community supports. Public health departments also run the Sun Smart campaign. This is an education program telling people about the risk of exposure to ultraviolet radiation. This timely initiative attempts to change our attitudes about suntanning. It discourages exposure to sun and encourages sunscreens, protective clothing, hats and sunglasses. The Ministry of Health supports this program through its funding of public health departments.

I must not leave out the Ministry of Health public health and AIDS programs, through which it actively promotes healthy sexuality. It provides Ontarians with information they can use to protect themselves from sexually transmitted diseases and the cancers associated with sexual behaviour.

The efforts of government and community workers in all these cancer-fighting programs produce enormous benefits for Ontarians, and as we seek to further expand our programs we look for public input. We have already held consultations in the development of our cancer strategy in Thunder Bay, Ottawa, London, Oakville and Toronto, and we continue to do so. For instance, between 80 and 100 people from northeastern Ontario can expect to receive invitations in the next few weeks to offer us further advice on how we should be dealing with cancer. This consultation will use video satellite technology to link people in Sault Ste Marie, Sudbury and North Bay.

I would ask, at the same time as we have done this and gone to these communities and the opposition has started to do the same thing, that we have some respect for the people whom we will be inviting to these consultation meetings. They will be the specialists who are working with the patients and the families; they will be the patients and the families and the consumers of our system. Perhaps in this Legislature we could all use the information we've gathered, that we don't have to travel to the same communities to gather the same information but that we can use it to develop a strategy for cancer control here in Ontario.

We are also pleased with other efforts under way in

the north. The Thunder Bay Regional Cancer Centre, to name just one example, is coordinating a project to monitor and evaluate cervical cancer prevention programs in northwestern Ontario and to define user requirements for a computerized database for cervical screening.

I'm also proud of the funding which they received from the Ministry of Northern Development and Mines, over \$1 million to see their cancer centre in Thunder Bay grow, to see the cancer centre in Thunder Bay able to start to do some research locally, so that it can get the specialists it needs to do the work around cancer research and also have them staying there.

In conclusion, I want to say we are all aware of the importance of proper cancer treatment. What we all must become even more aware of is cancer prevention. Our treatment programs assist Ontarians who have developed cancer. Prevention programs help everyone. They have the real power to save lives. Smoking, drinking alcohol and eating fatty foods are behaviours we can change, each one of us. Our government is committed in the most vigorous way to encouraging those changes.

Government's responsibility goes further. It is our duty to eliminate exposure to carcinogens wherever they are encountered. We are working hard to see that more research money goes into finding the causes of cancer so that we can best use our prevention strategies and then evaluate their outcomes. All of this work will benefit every one of us.

1530

**The Deputy Speaker:** Any further debate?

**Ms Dianne Poole (Eglinton):** I rise to join in the debate today as the Liberal critic for women's issues. As critic for women's issues, I'm going to focus on one type of cancer, and that is breast cancer.

The fear of every woman is that she will find a lump in her breast. It is a frightening thing as a woman. I guess the good news is that eight out of 10 lumps are benign, which means they are non-cancerous. But the rest of the news is not as good.

Breast cancer affects one in nine women. In 1960, breast cancer killed one out of 20 women; in 1977, one out of 13. The latest statistics we have are equally frightening. There were an estimated 15,700 new cases of breast cancer diagnosed in 1992. Breast cancer is expected to kill 5,400 Canadian women this year alone. It is the number one cancer killer of women between the ages of 35 and 54. That's an age that comprises the majority of women in this House, and I know in at least one instance that it has struck very close to home. But many of us have friends, have family, know other women or in some cases have experienced breast cancer ourselves.

It is also frightening to note that Canada has one of the highest rates of breast cancer in the world, basically exceeded only by the United States. According to Statistics Canada, the cases of breast cancer in Canada are expected to rise 20% this year among women under 45. According to the most recent available data for cancer incidence in five continents, rates for breast cancer in Canada are among the highest in the world and are

exceeded primarily by those in the United States.

There is no known cause, and therefore no known cure, for advanced breast cancer. At best, early-stage breast cancer can be controlled. Now, in 75% of the women who get breast cancer, there are no known risk factors. However, researchers suspect the high rate of breast cancer can be partly attributed to a high-fat diet, delayed childbirth and having fewer children. They suspect this is why we are seeing the baby boomers as targets more and more in cases of breast cancer.

Mammography is the best-known method of early detection, but 60% of women over the age of 40 have never had a mammogram. Only 20% of all physicians recommend mammograms. It is estimated that the mortality rate would decrease by 30% if every woman who should be screened for breast cancer did get a mammogram. You can tell by this that early detection is crucial.

The previous Liberal government did in fact have initiatives which related to breast cancer. They initiated a province-wide breast cancer screening program in May 1989. There were 36 sites chosen across the province in which to institute this breast screening program. Experts believe that the Ontario breast screening program, which is a network of standardized breast screening clinics throughout Ontario, will reduce cancer deaths by 40% each year.

These statistics are alarming and frightening enough, but women are even more alarmed to find that there are now problems in getting treated in a timely way. The waiting list for breast cancer treatment in Toronto is overflowing, forcing many women to go to northern hospitals for treatment. Between June 1992 and February 1993, 114 women were sent hundreds of miles away for treatment. As the Leader of the Opposition, Lyn McLeod, stated, as a northern Ontario member she has seen this happen many times to northern Ontario women, when they had to travel great distances to get treatment. But now we're seeing that in southern Ontario, women are again forced away from their families at a very vulnerable time.

Women who have been sent north for treatment have to spend four to six weeks away from home, all because they need a daily radiation zap that lasts 20 seconds or less. Metro women face a 12-week wait for radiation therapy if they remain in Toronto. Doctors say the optimum time frame for radiation treatment following referral and surgery to remove either a cancerous lump or a breast is four weeks, so that 12-week wait in Toronto is just totally unacceptable. This is shared by waits in other, although not all, parts of the province.

But I would point out that women with family responsibilities and with job responsibilities often cannot travel extensive distances for treatment. Other women prefer not to leave their family; the social and emotional support networks are in place in their homes. Think of the psychological trauma of having a disease for which there is no known cause and therefore no known cure. Think of looking at the fact that there is a waiting list of 12 weeks when you know the optimum time from diagnosis to treatment should be four weeks, and think of the



frightening aspect of having to leave your family and your support system at that time to go several hundred miles away and spend four to six weeks at the most vulnerable time in your life away from that support system.

The provincial government's one-time funding allotment of \$567,000 to pay transportation costs to send women north for treatment ran out during the summer, so women are now forced to pay about \$360 for a round-trip air ticket to Sudbury or Thunder Bay to receive treatment. It's called adding insult to injury.

Women are asking, what is the cause for this delay in treatment for women with breast cancer? It is the opinion of many experts in the field that there is a shortage of oncologists and a shortage of machines. However, this should come as no surprise to the government when it could have been foreseen by looking at enrolment figures several years ago. Lyn McLeod, the Leader of the Opposition, has raised a number of things that the Liberal government did in order to ensure that there was planning for the treatment of various cancers, including breast cancer. So this could have been foreseen.

Marie Winter, who is a 68-year-old woman who lives in the Kitchener-Waterloo area, recently told her story in the Kitchener-Waterloo Record. She waited 14 weeks for treatment.

"She is not blaming the doctors she has seen, nor the overworked staff at the centre. She says she knows the shortage of radiologists is one of the reasons why there is a province-wide problem. But she questions the planning that caused the current backlog.

"In London, the (radiology) machines are sitting idle. They won't pay for people to run them. If they had told me, can you come in the middle of the night (for treatment), I would have said yes," she said."

That talks about some of the vulnerability and frustration of the women who are waiting for that treatment.

A question I have to ask is, why aren't publicly funded medical schools encouraged to concentrate on oncology? This is something that should have been in place long before today. I also believe that the NDP government's introducing policies to limit the number of doctors practising in Ontario has had an impact on the psychological wellbeing of doctors who wish to practise in this province. Many oncologists are going to make the decision that they don't want to practise in Ontario. In our caucus we have raised the story that of the 11 radiation oncologists graduating this June, seven have chosen not to practise in Ontario. Now, in a last-minute reaction to a last-minute crisis, the NDP government says it's going to import oncologists.

1540

Notwithstanding the announcement that was made just yesterday by the Minister of Health, again a delayed reaction to a long-standing problem, it is predicted that by the year 2001 there will be a shortage of 140 radiation therapists, 84 radiation oncologists and 50 medical physicists. Up until the minister finally made the announcement yesterday to provide \$1 million in assistance, there were 18 radiation therapists available for work in

Ontario, but Princess Margaret Hospital didn't have the budget to hire them.

As we look at the policies of this government towards the new doctors, that ill-fated proposal which had so many people up in arms that in the practice of family medicine, paediatrics and psychiatry they would limit the new doctors in those particular fields to only 25% of the billings in most of the overserved areas, fortunately they rethought that policy, but the damage has been done. The damage has been done by the cutbacks from the social contract and the expenditure control plan so that the resources aren't there in hospitals. Health care in general has had enormous cutbacks through this government that have made physicians question the wisdom of wanting to practise in this province.

To compound these problems, we've just had the recent release of information contained in a study by the Institute for Clinical Evaluation Sciences in Ontario. According to their study, many Ontario women with breast cancer are receiving more disfiguring mastectomies than is medically warranted. The rate of lumpectomies, which is only a partial removal and only removes the cancerous section itself and does not impact on the tissues and the structure of the breast, and the rates of mastectomies vary very differently from one Ontario county to another. Of the women surveyed, 57% of those who had surgery had mastectomies, while 32% had lumpectomies. From 1989 to 1991, according to this study, lumpectomy surgery ranged from a low of 11% in some hospitals to a high of 84% in other hospitals across the province.

Although the Minister of Health denied this yesterday, it was also reported that there was a higher rate of mastectomies done on northern Ontario women. Doctors suggested this could be attributed to a number of factors, including the long drive to obtain radiation therapy after receiving lumpectomies and also because the women were not able to see a doctor soon enough after diagnosis.

This is the kind of evaluation that the women of this province have been waiting for. Many women have believed for years that too many mastectomies were being performed when the lumpectomy, which has a very, very good success rate, could have been performed instead, but until now we didn't have the proof.

I call on this Minister of Health to take a leadership role. She has not done it to date, but now that we have a medical study that confirms the fears of women, the ministry has an obligation to act decisively and quickly.

This minister has been very quick to blame the doctors. The Minister of Health has said:

"It's obvious from this study that some doctors haven't responded quickly enough to changes in medicine....We must ensure that no matter where people live, they'll have the same choices and the same level of care. That's their right. Perhaps we can transmit the message to some outlying communities where doctors aren't attuned to the changing medical practices."

I find it unconscionable to blame the doctors. Where was the leadership of this Minister of Health, and the

previous Minister of Health, in this regard? I call on her to take leadership now. It may be belated, but she can take it now. She should form a committee of specialists that can set out the protocol and set out the steps for action so that it can occur quickly.

I have the privilege of being a member of the task force on cancer treatment that my leader, Lyn McLeod, has called to travel the province and to look for creative solutions. We are looking for solutions. We are looking for a very positive way to ensure that the women and the men of this province get timely, efficient, effective access to cancer treatment.

There are solutions; there are solutions available and the patients of this province, the physicians, the care providers, those who are in the specialties of radiation, oncology, those who are in the hospitals are the people who can provide us with some of those answers.

I reiterate what my leader said just scant moments ago: cancer treatment has to be a priority of this government. Yes, we recognize that times are tough, but surely in a vital area like this, and cancer will affect one in three Canadians in their lifetime—one in three. They are horrifying statistics and we cannot possibly not act in this regard.

I call on the Minister of Health to show the leadership. We are demanding it and the people of Ontario are demanding it.

**Mrs Marland:** On a point of order, Mr Speaker: This is a very important discussion in this House and right now there are 12 members, eight of whom are women. I think the men should be here to hear this debate and be part of it.

**The Deputy Speaker:** Are you asking if there is a quorum?

**Mrs Marland:** I'm suggesting there are 12 members here and a quorum is 20.

**The Deputy Speaker:** Are you asking for a quorum?

**Mrs Marland:** Yes, Mr Speaker, I am.

**The Deputy Speaker:** Could you please check if there is a quorum.

**Clerk Assistant and Clerk of Committees:** A quorum is not present, Speaker.

*The Deputy Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Deputy Speaker:** Any further debate?

**Mrs Elizabeth Witmer (Waterloo North):** I will be joining the debate today in support of the Liberal opposition motion which recognizes that since taking office, the NDP government has failed to put in place the appropriate mechanisms for the increased demand for cancer treatment. That takes into consideration the fact that the number of Ontario residents who are being diagnosed with cancer is growing at an alarming rate of some 45,000 individuals per year.

We also know now that two out of three families in this province will have a family member who is diagnosed with cancer, and there is widespread concern throughout the province that patients are not receiving

treatment in a timely manner. There is also great concern that physicians are performing procedures such as surgery due to concerns that less invasive treatment such as radiation may not be available on time.

Therefore, the PC caucus is pleased to support the motion which calls on the NDP government to admit to its failure to develop a coherent, effective cancer strategy and to initiate a broad cancer care program ranging from prevention to long-term care in a province-wide, coordinated approach and to start work immediately with hospitals, communities, cancer centres and patients to take all the necessary steps to clear up the backlog of treatment cases in this province and ensure that no further backlog occurs and that all residents of Ontario receive the cancer care they need when they need it.

1550

Certainly I can attest to the fact that there is growing concern among my own constituents in Waterloo North concerning the availability of timely treatment and also concern that they're not getting the best treatment for the cancer that they have.

I raised one issue with the minister for women's issues in the standing committee on estimates on October 13. I addressed at that time the growing concern in this province about breast cancer. This, as we know, is the most common cancer among women in this province. It is a most dreaded disease, and we are all acquainted with someone who has either had the disease or does have it at the present time.

We are all concerned, and I expressed it that day, on October 13, that the waiting list for breast cancer radiation treatment in the city of Toronto in particular was overflowing. I expressed my concern about the women, who are extremely vulnerable and who are very emotionally dependent on their families and their friends at this time in their lives. I expressed my concern about the fact that these individuals were being forced to go elsewhere for therapy. Unfortunately, they were being forced to go alone, without their families and without the support of their friends. They were going north because the service was not available in their home town.

Unfortunately, we know that as a result of a lack of service, there are breast cancer patients who are undergoing disfiguring mastectomies instead of having the breast-conserving lumpectomies combined with radiation treatment. This is happening because doctors in this province today fear that the long wait for treatment could result in the loss of life.

We also know that 20% to 25% of the breast cancer patients will get a recurrence in the same breast. However, it's almost impossible to determine which patients will have this recurrence. That is why breast cancer patients receive the radiation. That is why the radiation services are so necessary in this province, because it is a tool that is used to kill any remaining abnormal cells after surgery.

Yet in this province today we have women who are waiting for this most necessary radiation treatment. As I indicated, they are being given two choices: You can wait until the facilities and the personnel are available, in



Toronto in particular where there has been a wait, or you can risk letting the disease develop further; or you can travel to northern Ontario for six weeks in order to obtain the treatment in a timely manner.

We also need to remember that those patients who are forced to travel north must bear the transportation costs themselves. In essence, we have here again a two-tiered system, because some people will obviously not have the financial resources to travel to a northern community.

As I talk about women travelling north, I think it's important to indicate that I would also be concerned about women from the north who are forced to travel to southern centres. We need to become more sensitive to the issues of women's health care, particularly in the area of cancer and breast cancer, and we need to ensure that the treatment is provided in a timely manner and that it is accessible to the patient and takes into consideration the emotional trauma that these individuals are going through.

I want to just remind the House that I did write to the minister in February of this year regarding the entire issue of breast cancer and the long waiting list for breast cancer radiation treatment. I asked the minister at that time for immediate action by the provincial government to address the lack of breast cancer prevention and treatment programs and facilities in this province and the inadequacy of our health care system's response to breast cancer. Yet, until yesterday, we had seen absolutely no improvement in this situation, even though my request was noted and sent in February of this year.

In fact in estimates this year, on October 13, I asked the minister these questions regarding the elimination and the treatment:

"What action was taken earlier this year to meet the demands for breast cancer radiation treatment? What action has been taken recently, since we learned about the problem again in September? What action or plans are being made to avoid waiting lists for radiation treatment in the future? What assurances is the minister prepared to give to ensure that services will be made available here in Toronto? Could the minister also table a list of locations in the province that provide services for women with breast cancer and the amount of money that was allocated to those sites this fiscal year? Could the minister table a list of sites in the province that have facilities to detect breast cancer and the amount of money allocated this fiscal year?"

It is absolutely essential that in the area of women's health care, particularly the area of breast cancer, which is the leading killer of women in this province as far as cancer is concerned, action take place by this government. Unfortunately, we simply haven't seen any action.

In referring to one other section within the opposition motion today, it says, "Whereas lung cancer continues to be the leading cause of death among all cancer patients, yet despite its commitment in 1991, the NDP government has taken no action on its proposed Tobacco Act."

I want to tell you, Mr Speaker, that I have received numerous letters of concern regarding the inaction by this government. In fact, I want to mention to you a letter

from Mr Paul Van de Kamer, the president of the Lung Association, Waterloo Region, who wrote me in September and expressed his concern about the ministry's policy regarding the need for the enactment of an anti-tobacco strategy for Ontario to reduce or eliminate smoking in this province and his concern about the government's recent announcement that it would not be proceeding with changes to the legislation regarding the distribution of tobacco products in the future.

This is despite the fact that a 1991 report of the medical officer of health indicated that tobacco use is the leading preventable cause of premature death in Ontario. It's responsible for more than 13,000 deaths per year. Tobacco users have a higher risk of developing diseases such as cardiovascular disease, cancer, lung disease, stroke, cancers of the mouth, throat, oesophagus and bladder, and we know that secondhand smoke has been linked to lung cancer in non-smokers and respiratory problems in young children and infants.

We also had a poll that was conducted in September 1992 by Environics, which found that Ontarians support tougher anti-smoking measures, including restricted sales and generic packaging for cigarettes. People in this province want to see anti-smoking measures, yet this government has indicated that it will not take any action on this issue.

My colleagues in the Ontario Progressive Conservative caucus have long advocated that tobacco control policies be tightened. Our leader, Mr Harris, has consistently called for a balanced and comprehensive approach to reducing the threat of tobacco to our health; Mr Norm Sterling introduced a private member's bill in 1985 to control smoking in public places and in the workplace; and my colleague Dianne Cunningham called on the Minister of Health in 1992 to introduce anti-tobacco legislation as quickly as possible. Yet today we now hear from the minister that there will be absolutely no changes to the legislation regarding the distribution of tobacco products in the future.

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I want to now take a look at a report that was written by our Health critic, Jim Wilson, the member for Simcoe West. He has expressed his concerns time and time again about the lack of treatment, and he says:

"With each negative headline, Ontarians grow more anxious and fearful about the survivability of their once Cadillac health care system.

"Since the establishment of medicare in 1968, the people of Ontario have faithfully contributed their tax dollars with the expectation that the province's health insurance plan would respond when they needed it the most.

"However, for some individuals"—and this issue was raised in the House last week by our leader—"such as Don Porter of Orangeville, their faith"—in our system—"has not been rewarded and their worst nightmares have come true. Mr Porter, 64, was diagnosed with lymphatic cancer and given six to nine months to live. His only hope for survival was to have a bone-marrow transplant."

He was denied this opportunity in Ontario for this

lifesaving treatment, and he was forced to receive the treatment not in Ontario but in Rochester, New York. Mr Porter from Orangeville was forced "to sell his house and his business to pay the \$150,000 for the transplant. He can be excused if he is bitter towards the Ontario health care system—maintained in part by his tax dollars—which turned its back on him in his critical hour of need." This is how people in this province who have cancer are being treated.

"One of the five principles enshrined in the Canada Health Act is access to health care for everyone. But what about access for Mr Porter and for thousands of cancer patients in Ontario who find themselves on growing waiting lists for treatment.

"Since 1982, the average waiting time—from diagnosis to treatment—for patients with larynx cancer increased from 15 days in 1982" to an alarming 40 days in 1991.

"In the past decade, the waiting lists for breast, cervix, larynx, lung and prostate cancer treatments have doubled. The Canadian Association of Radiation Oncologists says the gap between diagnosis and treatment of cancer should be a maximum of four weeks. However, waiting lists at virtually all cancer units in Ontario exceed this maximum four-week requirement." That's why we need to take a look at what's happening in this province. That's why we need to develop a coherent, effective cancer strategy.

I want to cite another example from what has been written by my colleague the member for Simcoe West. We heard about Judy Thompson, from my own community of Kitchener. She had the agony of waiting for breast cancer treatment and this was exacerbated by her encounter at a London, Ontario, clinic. While she was being told she would have to wait for three months for treatment, when she arrived at the clinic in London she encountered a woman from Port Huron, Michigan, who was also receiving radiation therapy at the London Regional Cancer Centre. This woman couldn't understand why cancer patients in Ontario were complaining about having to wait for treatment. She openly boasted about getting cancer treatment after waiting only one week.

We have a health care system that is more responsive to the Americans than it is to those Ontarians who are paying for it. It is a system that is in desperate need of corrective surgery. "Don Porter from Orangeville, Judy Thompson from Kitchener and thousands from all across this province agree. Waiting months for treatment while staring straight into the teeth of one of Ontario's leading killers is an experience that no one in this province should be forced to endure."

Yet it is happening in this province today and "in the process, lives are being lost, savings are being wiped out, Americans are jumping the waiting lists, and the Canada Health Act is being violated as access to care is being denied to the people who live and pay taxes in this province."

My colleague goes on to explain why perhaps cancer patients are not getting the care they are entitled to receive from their health care system.

Before I read the second part of his report, I want to quote Dr William Mackillop, cancer specialist. When

asked on October 16, 1993, "What would you do if you were placed on a waiting list for larynx cancer treatment?" he said: "I'd panic like hell. And then I would go to Buffalo."

"Panic is the product of poor management. And poor management is the root cause of the problems that currently plague Ontario's health care system.

"A great deal has been written in recent weeks regarding the difficulties encountered by cancer patients in receiving life-saving care in Ontario. Many Ontarians—whose tax dollars pay for the province's health care system—are waking up to the realization that this system may not be there for them when they need it the most.

There is a growing uncertainty in this province about the availability of treatment, and it is very frightening to many individuals.

Why is this occurring? The answer is not to throw more money at the system. "The Ontario government will spend \$17.5 billion on health care this year, which represents 35% of the provincial operating budget. On average, provincial governments in Canada spend \$1,595 per person for health care. However, in Ontario, our figures are significantly higher. The provincial government spends a staggering \$1,725 per person for health care each year.

"Either people in this province are less healthy—therefore needing more care—or the government is doing a poor job of managing the dollars it presently spends on health care."

Certainly there is every indication that there is more evidence to support the latter argument, that the government is doing a poor job of managing the dollars it spends on health care. As a result, we have this increased demand for cancer treatment not being fulfilled in a timely manner.

There is evidence, and we've seen it, that there's a clue as to why Ontario's health care costs tower over those of other provinces. "We have an identification problem in Ontario. Police have revealed that a crime ring is selling valid Ontario birth certificates to refugee claimants and illegal aliens in Toronto. The importance of this discovery must not be ignored," because when you have a birth certificate you can also get a health card. "With a birth certificate and health card, the same individual can also apply for welfare benefits." It is the birth certificate that is "the key that unlocks the vault that contains our tax dollars.

"What is even more disturbing is the response given by the government to the ease with which birth certificates are being obtained." Ted Kelly, Ontario's deputy registrar, said, "There's no practical way to prevent this type of abuse." Yet it is this type of abuse that is costing the health care system dollars, which is leading to a denial of services to those who pay for the system.

The government is telling us it cannot "effectively manage our social programs, because it has no way of identifying who is entitled to social services and who is not. Not surprisingly, this government has absolutely no idea how much health care fraud is occurring" in this province. "This fraud ranges anywhere from \$250 million



to \$900 million annually"—far too much.

Our Health critic for the Ontario Progressive Conservative Party has stood up in this House on 12 separate occasions and he has urged the government to deal with the serious problem of health care fraud. In fact our leader, Mr Harris, spoke to the same issue today when he talked about individuals receiving more than one health care card and the fact that the officials at OHIP seemed totally unconcerned about following up with the concern he was expressing. Each time this government attempts to discredit and to downplay any concerns that the opposition members have.

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"Now officials in the same government have openly admitted they have no way of guaranteeing that only people who are born in this province have Ontario birth certificates. Consequently, if this government cannot control birth certificate fraud, it has no hope of containing fraud in our health and welfare systems.

"Most people agree there is enough money in our health care system. What we don't have" in this province "is good management of the resources and the system as a whole."

Therefore, I support the motion that has been put forward today. It is time that this government be made accountable. It is time that this government take a look at how it is managing the health care system, particularly in response to the increased demand for cancer treatment, especially when we hear about the growing numbers of individuals who will be diagnosed as having cancer. As I indicated at the outset, we're going to see the rate growing at about 45,000 individuals per year, and every two out of three families in this province will have a family member diagnosed with cancer.

Yes, our party is very pleased to support the motion which calls on this government to develop a coherent, effective cancer strategy. It is high time that the people in this province received the timely and necessary treatment that will allow them to deal with their cancer.

**Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation):** Mr Speaker, as you know, I stand to speak not only as a member of this Legislature, but also as one of the 14,570 Ontario women who was referred to in the recently released report by the Institute for Clinical Evaluative Sciences.

I was diagnosed with breast cancer in 1991, the time period under study, and had the surgery that they're concerned with and also, as you know, had the follow-up radiation and chemotherapy as well, which also makes me one of the 150,000 people living with cancer in the province of Ontario and pleased to say, along with that, have now passed the half-way mark to my five-year follow-up from that, which I hope means indications of great success, as I believe many people who are diagnosed with cancer have every right to expect as well.

When I think of a number of the issues we're dealing with here, it reminds me of what I believe is the constant challenge in life, the challenge of finding balance on issues. One of the questions, it seems to me, that faces us is how we can work openly, including as opposition

parties, in this province in trying to constantly improve our health care system without turning it into a political football.

I say that because I know very well that when people like myself, who depend very much on the health care system in this province, read the kind of headlines and stories we've been reading recently and hear some of the claims that are being made by opposition party members in this House, it becomes terribly alarming to us and it causes us a tremendous amount of insecurity. One of the issues of balance that we need to apply to some of what we're hearing is the balance of the figures of how well our Ontario health care system is working for so many of us.

The opposition resolution before us today says that "the NDP government has failed to put in place appropriate mechanisms for the increased demand for cancer treatment." I have to respond a little angrily at that, to say let's get real. The problem we're talking about was identified in a report in 1985, and it's my firm belief that all three of the parties that have been in government since 1985 have been led by good, feeling human beings who have all taken the action we all need to take to try to come to terms with what we need to do to try to find a cure for cancer; in the meantime to try to help prevent it as much as we can; in the meantime to make sure there is early detection and treatment available for those of us who require it.

Since that report in 1985, the three governments acted to increase the number of radiation machines that were available to the people of Ontario. Since 1985, there was originally a course of action that all three of us participated in to introduce 18 new radiation machines in the system, taking the number of radiation machines in this province from 34 to 52. Since our government has been in power in 1990, in spite of the terrible plague of the depression that has been wrought upon the province of Ontario since that time, we have added 13 further radiation machines, to bring the total to 65 by 1997-98 in this province.

I had the good fortune last week to be at Women's College Hospital, this time not for treatment, actually, but to participate as a cabinet minister in the Chinese naming of Women's College Hospital. As I walked in for the event I was greeted by the very, very happy chief executive officer of the hospital, who was quickly on his way, apologizing that he'd be right back. He had in hand a framed letter from Ruth Grier, and he said the head of his department who had just received a new CAT scan machine, compliments of this government, had said, "Please give me a framed copy of the letter from Ruth Grier giving us the news that we're getting that new CAT scan." They were so pleased.

When he returned to me, the chief executive officer said, "I've just been talking to the chief executive officer of St Michael's Hospital as well and we're at a loss to understand what the news is, this terrible news, that's making your government look very bad right now." He said: "You are, in fact, delivering to us the capital for the equipment we need to treat these cases. Your government has been doing that."

In fact, the CEO of St Michael's Hospital had told him, putting things in perspective, again finding some balance here, that part of the reason they were at a loss is because the number of people who had been forced to leave Metro Toronto to find radiation services this year had decreased drastically from last year. Last year, 45 people had to leave Metro in order to get radiation services in this province, according to them, and this year he said it was down to eight. Hence, why the great news, why the great uproar, unless this is being treated as a political football, with terrible insensitivity to those of us for whom it causes grave alarm and grave feelings of insecurity.

Every year in this province, including now, there are thousands of people who are being given the treatment we need to deal with our disease, and we should be very proud, all three parties who have formed the government in this province over the past decade, of the kind of health care service and—

*Interjection.*

**Hon Ms Swarbrick:** Yes, Sean, you can be proud too of the kind of health care service you've helped to develop in this province, because for most of us it works very, very well, and when it doesn't, all three parties who have formed the government have tried to come to terms as well as we can with it.

In addition to what I've just referred to of our government further acting to increase the number of radiation machines available to make sure that today, tomorrow and in the future there'll be sufficient radiation treatment available for those of us who need it, our government, as you know, through the Minister of Health, has also announced recently the increased operating dollars to hire the radiation therapists required to operate the machines on a longer-hours basis.

I'd like to point out again something we need to deal with in this province. Any operator of a plant or factory in this province will tell you that when you put out the dollars for the incredibly expensive capital equipment in a plant you need to operate it beyond eight hours. In the case of radiation equipment, that's incredibly expensive equipment. Not only does it make sense for our tax dollar purposes that it operate beyond eight hours a day—and for that reason we're pleased to be providing the dollars to provide the staff to do so—but I can also tell you from firsthand experience how important that is to working women and working people who have cancer.

We have to change some of the image we have in this province of what people with cancer are like. People with cancer are people like me, also being able to go along through our day-to-day business and work while taking radiation, in many cases.

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When I was receiving radiation treatment I heard the stories from some of the radiation therapists about women who were less fortunate than I, with the understanding boss, our Premier, I had at the time, who allowed me to accommodate my schedule to obtain my treatment. Women who work in many workplaces and have to take that time, the half-hour it takes to wait for the treatment,

to end up getting the 20-second zap or what have you, in many cases are being harassed by their employers because of being required to take that half-hour or hour, maybe an hour and a half, depending on travel time, in spite of how they arrange their day to be there first thing in the morning so they can then get to work on time. Clearly, by providing the operating dollars to make sure we're using that equipment over longer hours, it will also mean reduced harassment for the people who are getting that treatment while still maintaining their working lives.

Our government has also announced that we are in the process of trying to recruit radiation oncologists from overseas, as unfortunately not enough of our young interns and young medical students in this province are yet applying to go into what I think is a very important career, being a radiation oncologist in this province, a needed career. We've got interns and medical students and the parents of those who want to be doctors in this province worrying about where they are going to be able to work when they graduate. Radiation oncology is one of those careers that's waiting for many of them, and I can't urge them strongly enough to consider more seriously helping us to overcome the shortage of radiation oncologists in this province so we don't have to resort to what our Minister of Health is now initiating, the search for radiation oncologists from overseas to help us to meet our short-term need today.

The opposition resolution also says, "whereas physicians are performing procedures such as surgery due to concerns that...radiation may not be available on time." This is one of the issues also referred to in the recent media reports and referred to by some of the speakers today that I find terribly disturbing as somebody who's been a patient and as somebody who believes very firmly in patients' rights, including patients' right to choose, including patients' right to informed consent.

I have to point out that I clearly am speaking here on a very personal basis in saying that it disturbs me greatly. To be honest with you, I really can't believe there are doctors in this province who are doing what has been alleged. To do so would be terribly unconscionable. What's being claimed is that doctors are making a decision to exercise radical surgery on people, mastectomies, removal of voice boxes, without telling patients of the choices that belong to them other than going through that radical therapy because, as it's been reported in the newspapers at least, patients would not understand the consequence of delayed treatment.

That's an insult to all cancer patients. It's very easy to understand the consequence of delayed treatment at a certain point, and doctors know through the studies how long it usually takes for the cancer to spread and can therefore forecast how long is safe and how long is not safe to wait for the radiation.

Patients deserve to know their full options available to them, how long it would be for them to get their treatment, what the impact of that might be and, therefore, whether they want to choose to have more extreme surgery or choose to wait for the duration involved or whether they want to choose to travel to another part of our province to obtain treatment.



As the Leader of the Opposition referred to, many people from the north unfortunately in fact do often have to, for population reasons, come to Metro to obtain treatment. If from time to time some of us from Metro have to go through that, it's terribly unfortunate. I would not want to have to do it. It's certainly a reasonable short-term measure while we implement the longer-term measures we have embarked upon through our Minister of Health in order to make sure the full range of options is available.

It's also an option that patients should know is theirs if they want to choose, in the face of those choices, to go to their member of provincial Parliament and raise Cain to make sure they do get the radiation services they need, which I suggest is what would happen if a member of provincial Parliament got up in this House and talked about that kind of situation occurring to any individual person.

I think the reality of what is happening when patients receive more extreme surgery than they might require is clearly referred to in the report I began by referring to, the report that's been made public over the last week. It's the report, as I mentioned, from the Institute for Clinical Evaluative Sciences, and it refers on page 2 to the variation in treatment. Again, I'll be clear that the variation we're talking about is whether a patient receives a mastectomy, in the case of breast cancer, instead of receiving a lumpectomy, a smaller surgery to the breast, combined with radiation.

The report states that "this variation was overwhelmingly associated with the approach to the management of breast cancer adopted at individual Ontario hospitals, indicating the crucial influence of surgeons' practice styles." The report does not say that it's because of surgeons' belief that people were not going to get radiation treatment in time.

In fact, what this reminds me of is another change that we've seen happening. Change always takes time, unfortunately. We're all people; doctors are people. We all need training in our jobs; doctors need training in their jobs. What this reminds me of is, again as a patient at Women's College Hospital and learning a lot about breast cancer, I was told that Women's College Hospital has not done a radical mastectomy for 25 years, radical being different from the modified radical of the full removal of the breast; radical meaning also removing muscle tissue.

Women's College Hospital has not done a radical mastectomy for 25 years, yet I know a woman in the province of Ontario who had a radical mastectomy in the late 1980s. In fact, I believe there are still women in North America, in some places, who are receiving radical mastectomies. It's a matter of training, it's a matter of doctors being up to date in believing in what is the best approach to treatment.

As this study points out, also the approach to management and the approach to different techniques of dealing with cancers are something that can vary from doctor to doctor, from hospital to hospital. It's something we need to work on to try to make sure that we are all being up to date and using the best treatment methods.

As somebody who did have a mastectomy, I'm also

afraid that some women who do require mastectomies will think, because of the concern and alarm that's being expressed right now, if they're told they are to have a mastectomy that it is necessarily the extreme and wrong surgical treatment. There are times when it is appropriate, so I would resoundingly support those doctors who have been speaking recently about the need to encourage people to get a second and a third opinion if that is what is being talked about in their case.

I also do not accept the opposition claim that my government has created an environment encouraging more and more physicians to leave this province. We know that the American system allows doctors to be paid more than the Ontario system does, so there's no doubt that some doctors may be attracted, for that and for other reasons, to move to practise in the United States. Yet we also know that the American system costs more. It costs, if I'm remembering the figures correctly, something like an extra 4% of gross domestic product for the American system to operate, and yet there are far fewer people serviced in the United States than are in Ontario, where every one of us has the right to obtain treatment.

Some doctors will leave, for money reasons or for various other reasons, from this province, but I'd like to point out to you that by and large the people of this province believe that, overall, physicians are fairly well paid for their jobs, that physicians overall work and practise for all of the right reasons, and that most of those physicians will continue to choose, as they do, to stay and practise in the province of Ontario for many reasons, including the fact that we in Ontario, thanks to all three parties that have been in government over the past decades in this province, have been developing a tremendously good, quality health care system.

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It's one in which they know that as physicians they can operate without the potential problem that exists in the United States of some days having to tell patients that you can't treat them because the patient doesn't have the money to pay you; you have to turn them away from hospitals, even from emergency services, because they don't have the money to pay for that hospital care.

It must be an awful lot better working in this environment than in one that would force a doctor who cares to help heal people into that kind of situation. Doctors also practise in the province of Ontario in a situation that doesn't force them to become bill collectors, another problem that exists in the United States.

Again, on the issue of balance, I'd like to point out that what we're looking at is the kind of quality health care system that we've chosen to provide for ourselves and to continue to build for ourselves in this province with our tax dollars through the government of the day; and that there is a matter of balance when we look at health care in terms of what it is we can expect from that health care system and what is our personal responsibility, as individual citizens and residents, to do to try and help participate in that prevention, early detection and proper treatment for cancer.

With regard to the obligation of the system we're providing as a government, I'd like to point out that in

this province we are spending more than \$1 billion per year on services directly related to cancer and trying increasingly to make sure that those dollars are being used as effectively as possible. The more than \$1 billion being spent directly on services related to cancer does not include the OHIP cost for doctors' visits; it does not include the costs of drugs required for treatment.

As my colleague who spoke before me has already told the House, this government is committed to measures reducing the incidence of cancer in Ontario. We're committed to many different measures, prevention being, I think personally, the most important one of all. Prevention includes a number of things. It includes corrective action, enforcement action and protective action on environmental issues as well. I believe environmental factors in the incidence of cancer today are one of the things we need to be looking increasingly closely at.

I'm proud to say that it's probably an ironic and interesting coincidence that the same minister who is now the Minister of Health in this province was the Minister of the Environment in this province who worked so hard to develop an Environmental Bill of Rights for Ontarians to be able to exercise, who's worked tremendously hard to develop strict controls on pollution and pollutants in this province, who's worked tremendously hard to try to help reduce waste, which creates landfills, which create toxic problems also in this province.

It's comforting to me to know, in looking at the prevention of cancer in this province, that the Minister of Health today is one who understands that kind of environmental approach to preventing cancer and what needs to be done. I'm also delighted that the present Minister of Environment, Bud Wildman, is also a minister who has tremendous appreciation of the need to protect our environment in order to help prevent illness as well.

In the issue of prevention, our government has also been continuing and trying to expand upon the education work that can be done to assist us all in helping to prevent becoming cancer patients ourselves. There are things that we can do individually as well. I encourage all of us to do them and not just to be exercising your option after being diagnosed—as of course I need to now—to watch our diet, to try to follow a healthy lifestyle, to not smoke, to try to follow a low-fat diet, to exercise well. These are all the kinds of things that we can do ourselves to help decrease the incidence of cancer in this province and help to protect not only our lives but the good and wise use of our tax dollars in this province.

Taking advantage of the education in this province, to know what signs we should look for so we can go to the doctor and then be checked, is important. Taking advantage of the screening opportunities that exist in this province to help detect cancers at early stages is very important.

In terms of learning about the issue of breast cancer, which many of us are focusing on, although there are so many types of cancer unfortunately, probably the best book that I would encourage every woman, every person and certainly anyone who has been diagnosed with breast cancer or fears to be so to read is Dr Susan Love's Breast Book or many of the other wonderful books that help to

teach people about the realities of breast cancer that are available in the Toronto Women's Book Store as well as some other book stores in this province.

In terms of our government's strong action to come to terms with, to prevent, to help ensure the treatment of cancer is also of course the work we're doing to try to help support finding the cure for cancer through research. So we're pleased, of course, to be continuing very strongly to support research, to identify the cure for cancer including, as my colleague the member for Thunder Bay said earlier, referring to the expansion that our government has recently invested in to expand the cancer treatment centre in Thunder Bay, along with research facilities in the north as well.

I'd like to turn to speaking a bit further about the issues of early detection and treatment because I think they are so crucial, and certainly they do become the most expensive part of what this government invests in within this province.

Our strategy in Ontario includes addressing the improvement of breast and cervical cancer screening. These are two areas where we're able to detect, very quickly and early, cancers if we make sure that we take advantage of the screening opportunities that this government is pleased to provide the funding for in this province.

Our government is continuing its full support for the Ontario breast screening program run by the Ontario Cancer Treatment and Research Foundation. The reasons are very clear for supporting this program. It offers high-quality mammography, it offers physical examination by a nurse examiner, with instruction in breast self-examination. The screening program is now available in 10 centres throughout this province. It's a program that my government is tremendously proud to be funding.

The Ontario health survey of 1991, however, showed that only one third of women between the ages of 50 and 69 are taking advantage of this simple procedure to help identify breast cancer at its earliest stages through our government's program. The breast screening program does reduce the number of serious cancer cases. Evidence has shown that if breast cancer is identified in its early stages, it can be cured in a high number of cases through surgery, through radiation treatment or chemotherapy.

I've also unfortunately, through my own experience, learned of many women who have either gone late for detection or who have chosen not to take advantage of some of the treatment available through Ontario's health care system. I encourage them very much to do so.

One of the many services we're providing through the Ontario system is support groups that exist in certain hospitals. When I was at Women's College Hospital, there was a breast cancer support group for both patients and our partners to attend for free. Through that I learned, for instance, that when breast cancer is able to be detected in its early stages and through surgery, often surgery that does not require very significant alteration of the shape of the breast, and where it's followed up with radiation, those cancer patients have better than a 90% chance of full recovery. That's the importance of early detection: better than a 90% chance of full recovery.



That's why it's important that we screen and that we do breast self-examination to identify cancer at its early stages.

Once the cancer is allowed, as mine did, to get into the lymph system, the chances of survival do become reduced, depending on how extensively it travels in the lymph system. But in all cases, with chemotherapy treatment your chances of survival are improved by 30%, which is tremendously substantial. Obviously, I'd rather choose the earlier odds of better than 90%, which is why I strongly encourage the women of this province who are over 50 years of age to take advantage of Ontario's tremendous breast cancer screening programs.

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One woman in nine will develop breast cancer some time in her lifetime. As one friend of mine recently reflected to me, however, again we need to be a little balanced in looking at our statistics. That's a terrifying number. The reality is that relatively few women will contract breast cancer anywhere near my age, having been 39 at the time it happened. In actuality, that rate of one in nine really is if you live to be 85 years of age. In fact, at my age it's more a matter of one in many hundreds. I just say that because I think it helps us put a little perspective, to not let the terror overcome us but rather to let knowledge help us develop a sense of control and a better reality in dealing with this terrible disease.

Breast cancer, however, is the most common type of cancer in Ontario women, with 5,000 new cases being diagnosed annually. Sadly, in 1992, it was responsible for 1,900 deaths in this province; far too many. Just as sadly, the number of deaths from breast cancer has doubled in the past 20 years, from one in 20 some 20 years ago to the one in nine today. Much of this increase, it's important to point out also, is because our health care system and our lifestyles are becoming such that we are able to live to a longer age. So the aging population is partly responsible for that, along with other factors.

There are, however, far too many of us being struck down with cancer when we are far below the average human life expectancy. That's part of why I can't stress enough the importance of the national breast cancer screening study which was released about one year ago. Those results showed that mammography screening did not curb deaths of women aged 40 to 49, which is why it is women over 50 we're especially encouraging to go for regular screening. We are, as a government, continuing our efforts to encourage more and more of those women over 50 to make use of that vital service. Quite plainly speaking, many women over 50 will have their lives saved by it.

The program refers women who are in good health and under 50 to their family doctors, where education is provided to those women and to their care givers about the risks and benefits of mammography for those in that age group and where instruction is given, and this is what I would stress most importantly for women under 50 as well as over, on the importance of breast self-examination. I don't mind sharing the fact that if I had been doing regular breast self-examination, I could have caught the breast cancer at a much earlier stage and been able to

avoid chemotherapy and been able to have much better chances of survival statistically than those that face me, but even now those that face me are very good.

Another service our government provides in terms of the issue of early detection which holds tremendous promise is that directed at cervical cancer. This provides for Pap smears, which I can't encourage women strongly enough to take on an annual basis, beginning with when women first become sexually active and continuing until the age of 69. This screening program for cervical cancer helps to detect treatable pre-cancerous lesions. It has contributed to a significant decrease in the incidence of cervical cancer.

Our government supports the Ontario Cancer Treatment and Research Foundation, which operates eight Ontario regional cancer centres. It provides treatment for cancer through radiation therapy, through chemotherapy, through other advanced techniques which account for more than 21% of the Ministry of Health's total spending on cancer each year.

Also supported by this government and by past governments is the Ontario Cancer Institute's coordination of the Ontario health care system, which delivers a broad spectrum of cancer services: academic health science centres; teaching and community hospitals; community agencies; the Canadian Cancer Society; family physicians; other health professionals; patient support groups and volunteer agencies.

These services are widely accessible. We should be proud of them. They're widely accessible to a vast majority of people in Ontario. They're second to none in terms of the quality and the compassionate care they deliver in this province. They account for fully 75% of the ministry's direct expenditures on cancer every year.

For example, the government pays for all operating costs in provincial hospitals as well. These institutions provide cancer patients with services ranging from initial diagnosis and evaluation to surgery, including aftercare, outpatient services, physiotherapy, rehabilitation and a host of other vital services. When we think of those kinds of services and compare what we have to countries around the world, we have tremendous good fortune to live in this province.

In addition to the more than \$1 billion that's spent on cancer treatment in this province, our government also pays the province's fee-for-service doctor bills, and many doctors' bills are undoubtedly related to the provision of cancer services. We pay for catastrophic drug coverage, without which many patients could simply not survive.

Unfortunately, from time to time we do end up with backlogs in the system which result in some cancer patients having been made to wait for treatment, and I know how terrifying that is, but this government has been taking immediate action to meet that need as it's confronted us. On the short-term basis, we've developed a centralized referral system to ensure that timely treatment is available, if not in your own city, then by the next closest place. In the long term, we've ensured that waiting lists for radiation therapy caused by the shortage of radiation oncologists are being dealt with by recruiting radiation oncologists from overseas, as well as providing

the operating dollars for the staff and the radiation machines needed.

The fact is that the Ministry of Health is dealing responsibly and effectively with Ontario's short-term cancer treatment needs while putting in place a longer-term provincial strategy to provide a continuum of cancer-related services. I don't believe that cancer care in Ontario should be turned into a political football. It's too serious an issue. It's too serious to too many of us.

It's irresponsible to suggest that this government or any other in the province of Ontario in the last decade is ignoring the needs of these people or that we are withholding the vital services on which their lives depend. Ontario provides world-class cancer treatment services. These services are provided free of charge to everyone in the province who needs them. We will continue doing everything within our power to ensure that the quality health care system we deliver in this province is of the finest quality to be found anywhere.

**Mr David Ramsay (Timiskaming):** First of all, I would like to say that I'm very pleased to be able to speak on behalf of our party on Lyn McLeod's opposition day motion that has been tabled here today. I think it's a very important subject.

I'm going to get back to that, but I'd also like to say that I'm very pleased to be following the member for Scarborough West, who I thought gave a very well-thought-out and reasoned speech, though there is something I would like to bring up that I disagree with that she mentioned.

Before that, I'd like to say that I think we in the House appreciate how candid she is, and sincere and forthright with her own battle with the disease of cancer. I think she knows that we are all out there with her. I think it's good for the people of Ontario to see legislators who have that personal involvement talking about it and talking about the successes we have in this province with cancer.

What I do want to disagree with her about, though, is her accusation that we have been playing politics with this. I would just ask that the member put herself in our place. If she happened today to be in opposition and were to see the situation that there is a shortfall in treatment opportunities for people who have been diagnosed with cancer, I'm sure she would be supporting a very similar type of motion today, and bringing that forward. The nature of this business, which I think everybody understands in this province, is that when we are in opposition it is up to us to choose some areas of priority that we believe the government should be acting upon with greater haste. We act as a catalyst in this Legislature as opposition, and this is an area upon which we feel there should be a higher priority put.

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You'll notice that we don't stand up in our place every day and say to the government that it should be spending more money on every responsibility the government finds itself with, but this is an area that the Liberal caucus has talked quite a bit about in our caucus meetings. We have conferred with our Health critic and also, as I'm going to talk about a little later on, we've decided this is so

important that we want to do some more research, so we're going to be doing a task force on cancer care and cancer treatment in Ontario. We feel it's important. As Liberals, it's a very high priority for us and it's our job in opposition to be pushing the government to move on those things we feel are a priority, on those things we feel are for the best for the people of Ontario.

As the statistics will tell people, two in three families in Ontario are directly affected by the disease of cancer. My family has also, in the past, been directly affected by the disease of cancer; my Dad had cancer in the 1970s and passed on. We certainly are all, as the member said, men and women of very strong feeling when it comes to cancer, very concerned.

We can certainly share the plight that many of our constituents are going through right now, have in the past and also will in the future, because we all know, with the demographics of this province and this country and with the greater occurrences of cancer in people over 55, that we are going to have a tremendous increase in the diagnosis of cancer as the years move on. It's going to be important that the Ontario government, which is responsible for health care in this province, makes sure that planning take place so that the equipment is in place, the resources are in place, the human resources are in place so that we will be able to treat cancer, to work on it from a day-to-day basis on a preventive basis but, when it is diagnosed, be able to have the very best treatment available at a reasonable cost so that we can save the lives of Ontarians and provide Ontarians with a good life that they all expect in this great province. It is very important to us, and I believe that no political party would try to play politics with this. We feel it's important and we want to move on it.

I would like to talk about a few things. First of all, I think some of the facts about cancer are quite startling. The more you look into it, the more you realize how big a problem it is and the more we believe in the Liberal caucus that the government has to be doing more. The scope of the disease is immense. In 1993, an estimated 116,200 new cases of cancer will be diagnosed in this country and we will have, by the end of this year, almost 60,000 cancer deaths. By the year 2000, as I've said before, due to a mainly aging population, the Ontario Cancer Registry predicts there will be 30,000 new cases of cancer in men and 28,000 new cases of cancer in women. This compares with 1991, when there were only 21,500 new cases of cancer in men and 20,000 new cases of cancer in women.

We can see that the growth rate, unfortunately, is great in the diagnosis of cases of cancer in this province. More than 80% of both new cases and cancer deaths will occur among those aged 55 and older, so as the tremendous bulge in our population that's right now beginning to be in the middle-aged group moves into age 55 we are going to see a tremendous demand for cancer treatment in Ontario, and now is the time to be doing the work. We feel the government is behind in its resource planning and it's got to be moving on this. It is interesting how the nature of the disease is changing. The parts of the body that are now being attacked by cancer are changing in



both men and women, and again this planning has to be implemented by the government so we are certain we have the appropriate treatment.

Back in 1987 I remember, when I was the parliamentary assistant to the Honourable David Peterson when he was the acting Minister of Northern Development and Mines, that people involved in health care delivery in the city of Sudbury in northeastern Ontario specifically were very concerned about cancer treatment in northern Ontario. In northeastern Ontario, we have on an annual basis at least 700 people who need to seek out cancer treatment. This was a growing problem then, and the people in the Sudbury region saw this as a tremendous problem not only for our area but for all of northeastern Ontario where people had to travel to Toronto, primarily at that time to the Princess Margaret Hospital for treatment.

I remember Dr Coringham, who was hired by one of the hospitals in Sudbury, coming to see our government. He worked very closely with me at the time in trying to get the capital funds set up to build a northern cancer treatment in the city of Sudbury and also to make sure that the ongoing financing for staff and resources would be there so that we could produce and provide cancer treatment for citizens of northeastern Ontario.

This has since opened in the summer of 1990. The northern Ontario cancer treatment facility did open in Sudbury. It has been so successful, as we see unfortunately from the headlines today, that we now find ourselves in the situation that patients from southern Ontario are forced to come, ironically enough, to Sudbury now to the tremendous facility that the Liberal government did establish there as we saw that the need was very great in northern Ontario at that time.

Unfortunately, in the last three years of this government, we haven't seen an increase of facilities to handle the increased need we find ourselves with today. This has got to happen. We only have to look at other provinces, in fact poorer provinces than Ontario, that have started to grapple with the problem and have come up with some rather simple but maybe creative solutions that we still haven't been able to discover here or to finance properly here.

In one of the areas of treatment, radiation treatment, we know that we have an underutilized amount of machines in this province for the treatment of cancer. We have radiation treatment machines that stand idle basically about 15 hours in a 24-hour day. Many hospitals only have the staff resources to run those machines during a day shift. Unlike other provinces, such as Nova Scotia, that run those machines till 10 o'clock at night, we don't do that in this province.

It's sort of like the court system and other infrastructure the government has. We have to utilize it well, and we're not utilizing the infrastructure of government very well. The court analogy is very interesting, in that court times are restricted to daytime. We don't have night court, we don't have weekend court; we've got to expand that. It's the same with our cancer treatment: We have the equipment, we have other resources, but we've got to expand the usage of those resources. To do that, we have

to allocate the funds to make sure we can bring the trained personnel, the oncologists, into Ontario to run those machines. That's going to be very important.

I know the minister made an additional \$1-million allocation and we applaud the minister for doing that, but we say to the minister, that is not enough today to rectify this problem. We feel that the treatment of cancer has to be one of the number one priorities for a Minister of Health of any government, and that's what we're saying to you today.

We feel you're not doing enough in this regard. We are pushing you to do more. We are asking you to allocate more resources in order to treat this disease. We are looking for you to do some more planning so that we can encourage more residents and interns to specialize in oncology and make sure we have the technicians trained in this province and, for now, in the emergency situation we believe we have today, that we go out around the world and seek those trained people and provide the financial incentives to bring those people to Ontario to provide that treatment for Ontarians today.

I've seen some of the quotes from some of the oncologists in Ontario saying, "What would you do today if you were diagnosed with cancer?" One of them was quoted as saying, "I first of all would panic, and then the next day I would go to Buffalo." I don't want anybody to have to say that about my province. I'm very proud about my province. I'm very proud about the health care system in this country and this province, and, as a Liberal, would want to ensure that we preserve the health care system that I think all of us in this House believe in and want to see work. We think that's important, and we are asking the government today to do that.

1700

There are a lot of unanswered questions as to what needs to be done, and we've decided ourselves, because we don't feel the government is doing an adequate job, to embark upon a task force exercise. We're going to go out, a select few caucus members, and talk to experts in the field, talk to patients in Ontario to find out what the deficiencies are and to come up with some positive recommendations, because we're not here just to criticize. We want to come up with some answers and to help the government provide the proper care that's there.

I want to read just a couple of the objectives, first of all, of our task force. One is to get an accurate measure of the problem as it currently exists and continue to raise the issue of cancer treatment in Ontario and the lack of action and planning by this government. We think that's important. We want to develop a series of recommendations to reduce the waiting lists and ensure proper planning prevents the situation from occurring again.

Some of the issues that need to be discussed and some of the issues that we want to explore in this task force are, first of all, we want to document fully what the current situation is. We have a lot of anecdotal information now coming through. We have one report on cancer treatment in Ontario that needs to be analysed. So the first thing for us to do is to document the present situation.

We really need to document quite fully: What are the waiting periods and what are the causes of these waits? How serious is the breast cancer problem in Ontario and how will its increased incidence affect future planning needs for cancer treatment in this province? What is the role of the province and the Ministry of Health in planning and implementing a cancer care strategy? What is the problem specifically: is it the lack of equipment, lack of personnel or the increased cases of cancer? Is there a provincial strategy related to transportation for cancer patients seeking treatment, and what is that strategy if it does exist? Does the strategy include child care, attendant care? How is palliative care of cancer patients linked to long-term care reform? Is there a strategy to deal with paediatric oncology?

These are the questions that we are going to be raising in our task force. We will be looking to patients, to health care providers, doctors, nurses and technicians in oncology from right across this province as to what their solutions may be for this. Our task force will be going to Toronto, Kingston, Thunder Bay, Windsor, London, Hamilton, Ottawa and Sudbury. We are going to be basically outreaching into the community and asking people to contribute to our study so that we can document what these problems are.

I wish to go back to some of the statistics that surround this awful disease. I wanted to say that over the past decade waiting lists for treatment of cancers of the breast, cervix, larynx, lung and prostate have doubled. In speaking to doctors and in the quotes we've seen from oncologists in the press lately, the longer the waiting period, the more difficult it is to treat the cancer successfully. So it's very important, number one, that we have early diagnosis and, number two, it's obviously very important that we have very early treatment, that in fact we have immediate treatment. That is the problem right now that we seem to be having.

The people of Ontario are really lucky that we do have a good health care system with highly trained general practitioners and specialists who are very good at early diagnosis. We're finding more and more of that with the programs that we have put in place over the years, that the previous government before us, the Liberal government and the NDP government have put in place. Where we're finding the shortfall primarily right now is immediate treatment. If we can get immediate treatment to the patients in Ontario, we will have a much higher percentage of successful treatments for cancer patients in Ontario. So that is where we need to be really moving.

By 1991, three quarters of Ontarians who had cancer of the cervix, larynx or lung had to wait longer than a month for radiation treatment; in 1982, only one quarter of those patients had waited that long. We see a deterioration of the waiting lists, we see the waiting lists are longer, we see the lineups for cancer treatment are longer and because of that we're starting to see less success in the treatment.

As reports have stated in the press the last few days, we're now starting to see more radical types of treatment being utilized much earlier in the course of treatment rather than the most appropriate treatment which might be

chemotherapy, radiation or not so radical surgery such as lumpectomy in the case of breast cancer.

This is a very serious subject. This is important to us. It is not something that we or any politician in Ontario would want to play politics with. It is a number one priority for the Liberal government that we get on with cancer treatment, that we provide the resources for cancer treatment throughout Ontario, that we study and start to do the planning and find out why there are the discrepancies in different types of cancer treatment, especially in regard to northern Ontario.

I was quite shocked to see the initial findings of the study released this week that shows that in northern Ontario there may be in some cases some inappropriate early treatments of cancer. I'm not sure why that would be and I'm certainly going to be looking for guidance from the Ministry of Health as they study that report as to why that may be the case. It shouldn't be the case.

I believe all Ontarians should have equal access to first-rate care and I'm sure every member of this House believes that to be the case too. I would certainly want to see the results of studying that particular project that was released this week that showed some of that inappropriate care happening to some patients, especially in some rural parts and northern parts of Ontario. That has to be rectified.

So I stand here in my place today to support this motion that's moved by the Leader of the Opposition, Lyn McLeod. It's a subject that's very important to her. It's a subject that's very important to the Liberal caucus. I am pleased to be part of this debate and will now take my place.

**The Acting Speaker (Ms Margaret H. Harrington):** Thank you to the member for Timiskaming. Further speakers?

**Mrs Marland:** This is not an easy resolution to speak on in this House. I don't think it's easy for any of us. It certainly isn't easy for those of us who are part of the statistics.

I notice in here as part of the resolution it says, "Whereas two out of three families will have a family member diagnosed with cancer." In our own family, when our daughter died 33 years ago now, there wasn't a remedy for the type of leukaemia that she died from. I think what really upsets me about discussing this whole subject is that today, 33 years later, there is a remedy for a lot of these different forms of cancer.

I find it very frustrating to sit in the House today and hear some of the statistics read into the record—and I'm going to be doing some of that as well—and wonder why the statistics we're giving aren't those that record the successes and the cures and the people who have experienced remission from this dreaded disease for many, many years.

I find it a little unfortunate that the Liberal motion—obviously, we're going to vote in favour of this motion because overall it's expressing a concern about what's happening in this province today to do with cancer treatment. But I have to tell you there are sections in this motion that I find very difficult to accept, especially the



line that says, "Whereas the NDP government has created a climate that is encouraging more and more physicians to leave the province."

Certainly, the NDP government hasn't helped on that subject, but it was the Liberal government who passed Bill 94 in December 1986 that thrust the largest number of physicians in this province into making the decision that they wished to practise elsewhere.

1710

I was one of the members who stood in this House and spoke from 4:30 till 6:30 in the morning in December 1986, before the Liberal government's passage of Bill 94. There are one or two people in the House at this point who will recall that Bill 94 was the bill that was to prohibit physicians in Ontario from extra-billing, even though only 6% of the 12% of physicians who were opted out from the direct billing through OHIP billed higher than the schedule of fees which OHIP paid anyway.

If we ever saw an example of a red herring that had a devastating effect by the passage of Bill 94 on the physicians and the attitude to the practice of medicine in this province, it was legislation, unfortunately, that the Liberal government brought in. It was also legislation that was supported by the New Democratic Party in opposition.

I think it's unfortunate that the last paragraph of this resolution also refers to, "Therefore the Liberal caucus calls on the NDP government to admit its failure to develop a coherent, effective cancer strategy." If the truth were to be expressed in this House, there isn't any of the three parties in this House whose hands are totally clean on this subject, and I include our own party in that. But we're not standing up saying to this government today that it has failed. What we would like this government to do is to make some decisions in some areas in particular that would demonstrate they truly want to be part of the solution and they're willing to invest in that solution.

I find it a little ironic that this motion is brought forward by the Liberal Party, because I really believe that much of the responsibility for today's crisis in the cancer treatment area rests with the Liberals' inaction when they governed Ontario from 1985 to 1990. Anyone who knows what was going on in the 1980s knows that at the beginning of the 1980s there was a shortage of money. But certainly, in the second half of the 1980s, for the government at that time to look for \$1 million, which the current Minister of Health just announced yesterday, was not a difficult thing to do.

I have said that our party isn't blame-free either. There were two reports commissioned by the Ontario Cancer Institute and the Ontario Cancer Treatment and Research Foundation which predicted the current shortage of resources. The first report was in 1973 and the second was in 1985.

The 1985 study warned that, "Resources available to the cancer system represented by the two organizations," which are Princess Margaret Hospital and the cancer institute, "are inadequate in quantity and quality to meet current, let alone future, needs." The Ontario Cancer

Registry also predicted that more radiation machines and personnel would be required to meet the demands.

The Liberals governing during those economic boom times when provincial revenues were plentiful could have done more to meet that demand and to plan for that demand. They could have decided earlier to build more radiation therapy machines, which I understand take more than two years to construct because of the radiation containment areas that must accompany them.

The Liberals could have decided to train more radiation therapists, who need two years of post-secondary education, and to train radiation oncologists, who require 10 years of post-secondary education. I believe that for the five years they were the government, with this 1985 report in hand, they also could have taken steps to provide incentives to radiation oncologists who train in Ontario to practise here.

If you look at the numbers about what has happened with the incidence of cancer in this province, we know that between 1981 and 1990, the number of new cases of cancer grew by 47%. At the same time, Ontario's population grew only by 17%. That's why I'm pointing out the critical years, the second half of the 1980s, when the Liberals were the government and there was money available in this province.

One of the ironies about what has happened, especially in the last few years, is really identified in a letter I have here from the Rudd Clinic, in particular over the signature of Dr W.W.H. Rudd. This letter is dated December 15, 1992, and will explain very clearly what I mean when I talk about the fact that not only has government to provide incentives to radiation oncologists who train in Ontario to practise here, but it must; it's part of our prevention, it's part of the prevention that our courageous member for Scarborough West talked about a few minutes ago.

In this letter, which I will read, you will see where one physician, one specialist is actually having to close his office because of the cap that has been placed on his practice. The thing about this cap on physicians' fees is that it is so arbitrary, it doesn't account for the fact that in this case this particular specialist—I'm not sure exactly how many employees he has but it's somewhere between 15 and 17 and his office is right off the corner of University Avenue, in the area where the hospitals are, which is an ideal place for this office to be located.

The procedure that Dr Rudd does is colonoscopy. For those of you who aren't familiar with a colonoscopy, it is an investigative procedure through the intestine and it goes all the way up into the colon. It's done, in his case, with fibre optics equipment. It is totally painless and it's totally non-intrusive. There's no debate about the effectiveness of this examination because at the time of the examination this fibre optics equipment has at the beginning of this tiny little wire a light, there is a camera which feeds the picture back to a television screen, there are little scissors and there's a little thing like a windshield washer to keep the camera lens clear. During this investigation of the entire intestine all the way up into the colon, if the specialist discovers polyps, he is able to remove them right then. This entire procedure is

complete within I think 10 or 12 minutes total. You can appreciate what it means to discover those polyps before they grow and be able to remove them so that the patient doesn't then have the polyps develop into cancer of the colon. As a preventive measure, it's just common sense to make a colonoscopy as available as we possibly can to the largest number of people, particularly men of a certain age in this province.

1720

By the way, Dr Rudd has to purchase his own equipment, equipment that costs \$75,000 or \$80,000. There is no money for the purchase of his equipment through OHIP; he invests in the equipment in order to do this procedure. By this practice, he's able to save millions of dollars had these patients been allowed to progress from the condition of having the polyps, let alone anything worse, at the point of discovery, to requiring intensive, intrusive surgery and hospitalization. This is done simply as a walk-in patient and, as I said, you're in and out in between 10 and 15 minutes total.

This letter from the Rudd Clinic reads as follows:

"Dear Patient,

"As promised, this is to remind you that you are due for your follow-up colonoscopy. I'm sure you'll recall that this is the best colon cancer prevention examination available, even more so with our new colonoscopy equipment. This is the good news.

"The bad news is that I am booked up for colonoscopies until August 1993. This is because, after reaching our limit on gross income, OHIP holds back two thirds of our fee. With an overhead of about 60% it actually costs me money to see a patient on OHIP. I am unemployed until April 1, 1993.

"It hurts me deeply that I have to say no to my patients, some of whom I have known for many years, who trust me and don't want to see another doctor. It hurts even more because it stops me from doing cancer prevention, the best thing I have ever done as a doctor."

The point about a cap in his particular case—and I'm not denying that there are situations in the province where there have been problems with physicians and their billings, but I think we should deal with those as a government, whoever the government is. I just think it's so regressive to say we can't afford the doctors' billings in this province because we can't afford the explosive bill for health care.

The irony is that the percentage of the cost of health care that is attributable to doctors' billings—maybe the Health minister will be able to tell me what it is today, but I recall when we were discussing this a few years ago that the portion that was attributable to doctors' billings was 19% of the total cost of health care, yet they were being blamed for the fact the health budget was getting out of control.

The thing is, here's a man who is highly skilled and highly trained to prevent much larger costs in the treatment of cancer, because through his procedure he can prevent it, and what we're saying to this man is: "We expect you to work for nothing. We're going to cap the income of your office at \$400,000, and if you employ 15,

16 or 17 people to make that office work, we don't care. You're still only going to get \$400,000, and that's after you pay 15 or 16 or 17 salaries and your rent and everything else that's part of the overhead." How reasonable is that?

Do you know what this man does? Dr Rudd goes and practises preventive medicine in terms of preventing cancer—we all agree "cancer" is the most dreaded word any of us ever hear in terms of diagnosis—in another country. We lose him in Canada. We lose him in Ontario.

We have 10 million people in this province, and we've heard from all the previous speakers this afternoon about the waiting lists for treatment. Isn't it unbelievable that we have someone here who can prevent even the need for treatment and we force him to go and practise in another country? Wonderful for the patients in that other country, but not wonderful for the patients in Ontario who could benefit from Dr Rudd, and I only use him as an example. It's one example of prevention of this dreaded disease of cancer. There are many specialists; there are many, many stories. I just use him as one example.

I think the other part of this discussion that has to be talked about today is where we're going with the remedies. I have a letter here from AECCO, which is Access to Effective Cancer Care in Ontario, and they have flagged a very real concern. Their concern is under the headline of "Wonder Drugs for the Wealthy?" Of course, this also goes hand in hand with the whole debate about the fact that what is happening in Ontario today is that we are not only establishing—it has already been established—a two-tier health care system but we are reinforcing it. We are reinforcing it every time a patient decides to mortgage his or her home and spend that money to go and get treatment in another country where it's available in a shorter period of time.

I know as well as everybody else that Queen's Park isn't a money tree. I know these are the toughest times we've had for a number of generations. All I stand here and say to the government today is, let's decide that there are going to be priorities, and the priorities are that if we really believe in a universal health care system, we'd better make sure that there is universal access to that health care system and we'd better make sure that we don't treat our practitioners in that health care system with such disdain and disregard that we're going to say to them: "Okay, you've earned enough. We think all you doctors are too wealthy and too rich anyway, so we're going to cap what you earn."

1730

They don't look at what it is they earn doing whatever it is they do. As I said a few minutes ago, they can deal with the very few doctors who exploit the system, but they don't have to destroy the health care system in the process. They don't have to treat this way the men and women in this province who chose the practice of medicine for their future commitment in terms of a profession and a career, who chose it because they wanted to help people who are ill. They wanted to be part of a team that prevented people from being ill in the first place, a team like Dr Rudd's, but they also wanted to help those people who fell ill to be cured.



The doctors never wanted to become politicians. We do have two members in this Legislature at the moment who are doctors, but for the most part doctors didn't choose politics; they chose medicine. The men and women who chose medicine as a profession, as far as I'm concerned, are very, very special people because in choosing medicine they knew they wouldn't get to see their families on weekends and often many, many nights.

They knew that they were committing themselves to the antithesis of a Monday-to-Friday, 9-to-5 job and in return for that, those of us who become ill or whose family members become ill have these highly skilled, knowledgeable professionals whom we can go to in their offices or who will see us in an emergency department in a hospital and will be part of the recovery program for whatever it is that has struck us down.

But now, in Ontario we're killing the spirit of these practitioners in medicine. I may go as far as to say we're killing the spirits of the other people who are related, not only the physicians and specialists but the people who are the support teams in the practice of health care in this province. We are killing their spirit because we don't know how to prioritize.

There's a tremendous irony here of course and that revolves around the fact that the majority of people in Ontario are healthy, thank goodness, and it's only when we are ill or our loved ones or our friends or our colleagues at work are ill—and we know that in this very chamber. We have all experienced it in this chamber. We've experienced the ultimate loss of colleagues to illness in this chamber.

It's only in those circumstances that we have any clue what is going on with the health care system and access to it in this province because if you don't need it, you never have to find out whether it's easy to get it or whether whatever it is in the form of treatment that you need you can get soon enough or, worst of all, whether you can afford it.

This group, this Access to Effective Cancer Care in Ontario, is concerned because there apparently are new drugs that are available that the government has decided not to fund. Just to read briefly from this article in the Ottawa Citizen from Monday, October 18, 1993, it says here:

"Wonder Drugs for the Wealthy?

"Background: Critics fear that cutbacks, user fees and extra billing will eventually kill universal health care in Canada. From a press release by Access to Effective Cancer Care in Ontario, a group of cancer professionals and patient advocates:

"'We're dealing with what is essentially a two-tiered health care system in this province,' says Dr Shailendra Verma, a medical oncologist at the Ottawa Regional Cancer Centre.

"'A trend seems to be emerging that important new cancer drug breakthroughs that have been approved by the federal government's regulatory health protection branch are not being listed on Ontario's drug formulary. This means they are not paid for by the province—and therefore not available to seniors, those with lower

incomes and no private health insurance.

"'We're concerned this is the trend of the future: those wealthy enough will have access to effective treatments, while others will be out of luck.'

"One example of a new drug not paid for by the province, says Dr Verma, is a granulocyte colony-stimulating factor," the acronym is G-CSF, "a protein that stimulates the body's production of infection-fighting white blood cells.

"'We're particularly disappointed in this government's attitude towards G-CSF as this may signal its reluctance to provide equal access to other, newer cancer treatments as they are developed,' says Dr Verma.

"'The ironic thing about G-CSF is that it helps some chemotherapy patients remain healthy enough to stay out of hospital. And that saves the province valuable health care dollars.'"

There has to be an irony, if there is a drug that enables patients under chemotherapy to stay out of hospital, that there wouldn't be some investigation into the balance of what is worthwhile in terms of its being cost-effective. Isn't it ironic too that while some families have insurance through their place of work that may pay for these drugs that are not available through the drug formulary, therefore through OHIP, some of these insurance companies may decide that they eventually will refuse to pay for these medications not covered by the Ontario Drug Benefit Formulary.

We will certainly be in a situation where the people who can afford treatment, either by being able to buy the expensive drugs or travel out of this province for earlier treatment of cancer that has already been detected, will be the people who can buy their way to health. I don't think the dream of any of us is a province where only the wealthy can access the health care system, but the irony is, with this government delisting drugs from the Ontario drug formulary, that has become a reality.

We're also looking at the government's announcement about its \$1 million, which we were pleased to hear about in terms of hiring more therapists, especially the graduating radiation therapists in Ontario—who graduated yesterday as a matter of fact. But you know, it really remains to be seen if these people will want to stay and work here with the social contract conditions in this province.

I think we've got to be very careful when we look at what it is we're saying about health care in this province. As I said at the beginning of my remarks, although we will be supporting this resolution of the Liberal official opposition today, it just seems a little superfluous for them to come in and attack the government for some of the things they list in their preamble, which really were not the current government's fault, but areas that, when the Liberals were themselves the government, could have been part of the solution.

I only hope that we can decide once and for all that we will all work together to solve this crisis and that simply to point fingers at the current government is neither fair nor accurate, frankly, and I dare say it's hypocritical.

I want to be part of a constructive opposition party and

to support the government of the day in any decisions it makes to ensure that there is equal access to anyone who needs any kind of treatment in this province, and that we encourage our physicians to stay and practise here without limiting them and treating them like a herd of cattle just because we don't want to look at them as individuals.

1740

**Mr Paul Klopp (Huron):** I stand today to really express my deep sadness that this kind of motion was brought here today. I think of two friends of mine: Paul Cyr, who died this past year of lung cancer, and a very good friend of mine, actually his brother-in-law, as fate would have it, who died some six years ago, both of lung cancer, and their bravery and the cards that they were dealt and the strength that no one knows until you've walked in their shoes. To have this kind of motion today in this House only cheapens their death beyond words that I can hardly express.

The member for Timiskaming stood up and said: "Oh, come on, you guys. If you'd been on this side, you would bring this up too." This is purely politics, which I feel is very sad. I'm sure I'm going to hear, "Oh, yes, the NDP, when it was in opposition, did things like this." I can only say to those members out there and to the people who are listening that I was taught that two wrongs don't make a right, and indeed, I think what we're doing here today is that.

If I'd been a member of a caucus at those times, I would have argued very strongly that this is too far. Maybe some members in the opposition have argued about it today, but it wouldn't surprise me if Lyn McLeod came out in a couple of weeks and make a resolution blaming us for the weather in Ontario, because that seems to be what they're talking about in this resolution.

I'll give two quick examples from the member for Eglinton. She said she had a quote from a cancer patient, and we feel very badly for our cancer patients, that said that cancer patient would go anywhere in the province, day or night, to take treatment. Then later on in the same speech, she criticized the government that there's cancer treatment in the north and there's cancer treatment in London. She proceeded to make it sound like the social contract is the problem and imputed that made it first sound like we set the standards for the social contract. We only put on the table some ideas to save some dollars and reintegrate dollars. The member forgot to say that we did not talk about radiation treatment programs or anything like that, but again politics at its finest.

Very quickly, I go back to the member for Timiskaming. He then says that they're going to go and do a study. The studies have already been done. The Premier's Council, this government, this minister have gone through studies. In fact, the ending studies will be up in Sudbury and I understand Shelley Wark-Martyn will be there.

This is all about politics. This is all about fearmongering. This is unfortunate. In conclusion, I feel really bad that this party has to stoop this low about an issue that is so important to so many people. I even commend the

Conservative Party for at least being fair.

**Hon Ruth Grier (Minister of Health):** I'm glad to have a few minutes at the end of this debate to make some comments. Let me say to the opposition that I regret I wasn't able to be here for the entire comments by the Leader of the Opposition. I was bringing some good news to Doctors Hospital here in Metropolitan Toronto.

I think my colleagues have spoken very clearly and very movingly about what this government is doing to deal with what is not a new problem. We knew in 1985, as one study, and there was one even earlier than that, that the rate of increase in the number of people diagnosed with cancer was far beyond the capacity of our existing system to deal with, and existing at a rate that I think gave us some very frightening signals that we had to move from just treating to preventing cancer, and to begin to take some serious steps to look at the entire continuum.

I hope that in this debate it has been made very clear that our government has responded massively, and so did the previous government begin to increase the number of machines, the number of personnel who are involved in cancer treatment; through us, the creation of the Institute for Clinical Evaluative Sciences, which begins to provide the data that enables the patients, the doctors, the hospitals and the cancer treatment centres to know the facts and to ask the hard questions about the system.

For this government, cancer has been a priority, and we have found the funds—I thank the member for Mississauga South for her acknowledgement of that—to put the money where we believe it is needed so that the problem of waiting lists, an ongoing problem, can be dealt with.

I'm glad the Leader of the Opposition has formed a task force. I understand that in her remarks today she said the task force would be travelling the province to find out the facts of the situation with respect to cancer. I could be partisan and say that perhaps the appropriate time to have an opposition day debate and to denounce the government for its lack of action might be after the task force had found out the facts, but sometimes that's not the way this place works, and so we're having this debate and then the opposition is going to go out and find the facts.

I think when they go out, they will find a number of things. They will find we have first-class treatment in this province and some of the best research and some of the best specialists to be found anywhere, who are doing a first-class job. They will find that there are hospitals where oncologists do their best and struggle to provide the treatment that's needed, but perhaps are not as closely linked to the cancer treatment centres as they ought to be. I hope the task force will meet not just with the treatment centres, but with the other hospitals and with the specialists and with the people who are working with cancer.

I hope the task force will meet with survivors. We heard a lot from the member for Scarborough West from her point of view. There are survivors and their families and there are particularly parents of children who have cancer, a place where we have made some progress. The number of children dying from cancer, that rate, is



decreasing, but there are still far too many.

I hope the task force will ask all of those people: "What do you need in the way of support services? We know about the treatment, but you need support in your communities. What do you need? What can be done to provide that support?" I hope they will meet with community groups that are working to provide long-term care and with the district health councils and their long-term care committees that are planning what is needed in the various regions, my point being that cancer is about more than treatment, doctors and machines. It's about community support services. It's about planning.

I hope they will meet with environmental groups—and I think this point has been made in the debate—that have been saying for years that we should ban the incineration of municipal solid waste, something our government has done and the opposition say they would reverse, should they, perish the thought, ever become the government.

I hope they will meet with the environmental groups that are anxious to ban some of the persistent accumulative toxics that are coming out of the industries around this province and flowing into the Great Lakes, because we had just last week the International Joint Commission making the connection between a growing incidence of breast cancer in women who live in communities around the Great Lakes and the toxics that are in the Great Lakes. I hope the task force will ask tough questions about what needs to be done to deal with the environmental, the nutritional and the personal habits that lead to cancer.

The Leader of the Opposition mentioned the need for tobacco legislation. I hope that when that legislation is introduced into this House, as it will be very shortly, I will have the full support of the opposition in moving quickly to second reading and to getting that legislation adopted. I trust that as a result of their concern, as a result of the facts of the situation which they are going to determine and discover as a result of their task force, they will be here in a constructive, realistic and cooperative manner as this government continues to make cancer treatment a priority, but at the same time to put in place the planning structures that make sure we look to the future and that we work to prevent cancer for those not yet born.

**Mr Sean G. Conway (Renfrew North):** I'm pleased to conclude this debate for my colleagues in the official opposition speaking to the motion introduced and spoken to today by the Leader of the Opposition, the leader of the Ontario Liberal Party.

I want to take a few moments just to summarize the concern of the Liberal opposition, why we're here today and why we will be back early in the new year when the task force will be reporting its recommendations.

I listened to the Minister of Health, who just made a very feisty speech about what she's doing and what we should be acknowledging. I just met the other day with representatives of the lung association in my county. It was over a year ago that this government, as part of its cancer strategy, was going to move expeditiously with a new tobacco control act, and the lung association asked me, and quite rightly, "Where is that priority part of the

cancer treatment program?" As of November 2, a full year after it was promised, it's nowhere on the agenda.

It is all well and good for my friend the Minister of Health to come in here and in a feisty way tell us what she's doing, but I just met a few days ago with the lung association, and they want to know where it is that commitment rests today.

1750

**Hon Mrs Grier:** Will you support it when we bring it in?

**Mr Conway:** I certainly will support it, but that's not the issue. The Minister of Health in her sanctimonious and feisty way said over a year ago—and she stood there a moment ago, a New Democrat in Ontario on November 2, 1993, and she said, "God forbid that the opposition over there should form the government of Ontario." It just goes to show you in what kind of cloud-cuckoo-land Ontario New Democrats find themselves, a party that a week ago was obliterated provincially because they have been seen to have completely lost touch.

A year ago, the cancer strategy was going to be in significant measure built on things like a new tobacco control act. She promised solemnly that this would be introduced as a major piece of the cancer strategy for 1993, and 11 months and one week into this year of 1993 we've yet to see even the bill introduced, so we can imagine what other gaps there are between promise and performance.

I was moved in a way I would not want to describe by the remarkable if brief intervention this afternoon of the honourable member for Huron, but I want to congratulate the member for Scarborough West because I thought with poignancy and with effect she focused much of the human element of this very, very sensitive subject that brings us here today. You're damned right we should be here today talking about cancer, and I'm not about to be lectured by anyone anyplace that we should not come to talk in this place about probably the most sensitive part of the entire health care debate.

I'm one of the lucky ones who's not been personally affected. I listened very carefully to the excellent and timely remarks of the member for Scarborough West and I'm sorry that there weren't more of us here to listen to that testament. I understand why members had to be in other places, but you come to a debate like this today and hear the kind of nitwittery we heard from the member for Huron and you despair about the efficacy of this kind of parliamentary democracy. Then you hear a speech like we heard this afternoon from the member for Scarborough West and my colleague from Eglinton and certainly the Leader of the Opposition and you believe there really is some hope, that we are going to be able to do more about something in which there is an across-the-board concern, to be sure.

There can be no one in this building, there can be no one in this political community who does not share in the objective that brings us here today. We've all been touched. One of my best friends is dying a terrifying death at the present time with this killer disease. My colleagues and the member from Waterloo and the

member from Mississauga, to mention others not in my party, today talked about what the demographics are suggesting: more cancers generally and more cancers in certain categories that reflect our aging population. Of course very impressive things have been done, but problems and pressures remain.

I don't wish to engage in some kind of partisan exercise the likes of which the member for Huron disgustingly imagines. Yes, I have sins of omission and commission for which atonement is due, let me say to my friends opposite, but I will say this: I have not in my time in opposition indulged in the kind of politics for which the Lewis and Rae New Democrats were famous. I will never contaminate my hands with that kind of politics, where the families of the sick and dying, and sometimes the sick and dying themselves, were brought to this parliamentary precinct and the most heinous of personalized accusation and assignment of blame were made by those honourable members in that new democracy to members of Liberal and Conservative administrations.

You bet your boots that I'm not going to play that kind of game. But that in no way diminishes the responsibilities that we have as honourable members to look at the current landscape, to report to this precinct what we're hearing.

I represent a large part of rural eastern Ontario, and I've been talking and listening to people who provide the services and the families who receive those services. I want to say that a lot of what I'm hearing is enormously positive, and I expect as our task force travels tomorrow to Kingston and later to Thunder Bay and Hamilton and Windsor and Toronto that we are going to hear a lot of very positive things about care givers and about volunteer organizations, because we all know that to be the case.

But when I hear from families in my part of rural Ontario about the disruption and the dislocation that sometimes, not always and not everywhere, but that sometimes occurs when people in need of that treatment are told they can't go to their centre in Ottawa but rather have to travel to Sudbury or some part of southwestern or south central Ontario, we can all understand, I think—

*Interjection.*

**Mr Conway:** And we do send people to Thunder Bay, of course. As the member for Scarborough West said so poignantly and so eloquently here this afternoon, that does raise, in the mind and the heart and the souls of the cancer patients and their families, a very high level of concern, and we know there are very considerable waiting lists on occasion in certain of our centres and our treatment facilities.

We also know there is a real and ongoing problem with not only training but maintaining and properly distributing oncologists and therapists and others in the system. I for one, speaking only for myself, am now prepared to be somewhat, perhaps even considerably more, intrusive in terms of the assignment of those people. I think in our public health care system we do not have to tolerate the kind of laissez-faire maldistribution we have seen over the past number of years. I accept my share of responsibility in allowing that situation to obtain, but that does not, I say to you, answer the concerns that

many of my constituents have.

I just want to say to my friends opposite that if the day comes when we cannot come in here and talk about cancer treatment and what's going on and what's not going on—you know, Dr Thomas Walkom wrote I think a very interesting column not too many weeks ago about some of the politics that attach to this debate. I understand that; I understand it very well. I thought Dr Tom's piece put it rather well. Any of us who've ever been in government understand some of the pressures that can develop for a variety of external and internal reasons within the health care debate. But to be told that the mere putting of this motion is somehow engaging in politics of a low partisan kind I think really does not assist the concern that we all know is out there.

I simply want to say, on behalf of Lyn McLeod and my colleagues in the Liberal Party and I know on behalf of everyone, that there is nothing, I believe, in the health care debate that so galvanizes public concern, so sensitizes individuals and their families, as cancer, the prospect of cancer, the reality of cancer and its treatment.

I've been here almost 20 years and I've listened to this debate and I've watched various governments respond to it, and I can, like the minister before me, report that there has been very considerable progress on a number of fronts. But it is obvious that there are serious ongoing concerns and deficiencies in our delivery system, and we have, in this area of extraordinary sensitivity, it seems to me, an ongoing and first-order requirement as legislators to address that concern. That's why the Liberal Party is here today speaking as we are to this motion. That's why the task force, and that will be part of our ongoing contribution in a positive and constructive way to deal with a matter of urgent, pressing concern and human sensitivity, as so eloquently put by, among others today, my friend, our colleague, the member for Scarborough West.

**The Speaker (Hon David Warner):** I thank the honourable member for Renfrew North for his contribution to the debate. Mrs McLeod has moved opposition day motion number 3, which stands in her name. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

Those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. There is a five-minute bell.

*The division bells rang from 1800 to 1805.*

**The Speaker:** Would all members please take their seats. Mrs McLeod moved notice of motion opposition day number 3, a resolution which stands in her name. All those in favour of the resolution will please rise one by one.

**Ayes**

Arnott, Beer, Bradley, Brown, Callahan, Caplan, Chiarelli, Cleary, Conway, Curling, Daigeler, Eddy, Elston, Eves, Fawcett, Grandmaitre, Harnick, Henderson, Johnson (Don Mills), Kwinter, Mahoney, Marland, McClelland, McGuinty, McLeod, Mclash, Morin, Murdoch (Grey-Owen Sound), Murphy, O'Neil (Quinte),



O'Neill (Ottawa-Rideau), Offer, Phillips (Scarborough-Agincourt), Poirier, Poole, Ramsay, Runciman, Ruprecht, Sorbara, Stockwell, Sullivan, Tilson, Turnbull, Witmer.

**The Speaker:** All those opposed to Mrs McLeod's resolution will please rise one by one.

#### Nays

Abel, Akande, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooke, Coppen, Dadamo, Duignan, Farnan, Fletcher, Frankford, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Jamison, Klopp, Kormos, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Morrow, Murdock (Sudbury), O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rizzo, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, Wessenger, White, Wilson (Kingston and The Islands), Wilson (Frontenac-Addington), Winninger, Wiseman, Wood, Ziemba.

**The Speaker:** The ayes being 44 and the nays 62, I declare the motion lost.

Pursuant to standing order 34, the question that this House do now adjourn is deemed to have been made.

#### PROTECTION OF PRIVACY

**The Speaker (Hon David Warner):** The honourable member for Renfrew North had filed dissatisfaction with an answer to a question answered by the Attorney General. The honourable member for Renfrew North has up to five minutes to present his reasons for his dissatisfaction. The Attorney General will have up to five minutes for her reply. The honourable member might wish to allow a few seconds for the chamber to clear.

There are a number of private conversations, and it would be advisable if those conversations could occur outside the chamber and thus allow the honourable member for Renfrew North full opportunity to present his reasons for dissatisfaction.

**Mr Sean G. Conway (Renfrew North):** Thank you very much, Mr Speaker. I want to say at the outset, I appreciate the minister of justice, who I know is a very busy person, attending this evening on very short notice.

I have in my hand the Instant Hansard of our exchange this afternoon and I want to come back to my absolute fury over this photo-radar issue. I understand again what the honourable minister of justice said today about the concern on our highways. Speeding is clearly adding to the carnage on the highways, and there's no doubt about that and I'm not going to contest that point. The issue for me is: Does that end justify these means?

I say no, non, nyet, and I'm going to fight this damn thing every step of the way, because I have sat here over the years and I've listened to honourable members in the New Democratic Party and in my own party and in the Progressive Conservative Party rightly say we should not have covert monitoring of the workplace, we should not have covert monitoring of our penal institutions. Those have been powerfully put, and I think that's a compelling argument.

There are fundamental issues of civil liberties here, and I just do not accept the notion that because we are all

concerned about speeding on the highways that anything goes, anything goes to address that concern. We live in a free and democratic society where there are understandably some sanctions that limit what governments can do.

I say to my honourable friends in this House that as we have agreed over time not to allow monitoring of people in their workplace—and we got another report yesterday which makes a powerful case against the kind of Orwellian intrusions that we're seeing in the workplace—surely we understand what's at issue with photo-radar on our roads.

I simply want to make the point, and I say to the listening audience, under the proposal that's contained in Bill 47 that will give you photo-radar, we are going to have a situation across the province, on designated highways and designated periods of time, when there's going to be an electronic bug looking down on you as you drive. There'll be no notice to speak of.

**Hon Gilles Pouliot (Minister of Transportation):** You're selling fear. That's not fair.

**Mr Conway:** I want some attention from the minister of highways.

**The Speaker:** Order. The member for Lake Nipigon is out of order.

**Mr Conway:** I want to say that the public in this province is going to be very upset when they find out just how intrusive and just how unfair this policy is. You do not have to be driving the car to get the fine. The policy clearly breaches a very important principle of equality before the law because if Mrs Caplan and I are driving down the 401 and we're both breaking the law, the machine picks—

**Hon Mr Pouliot:** You have a machine system already in place.

**The Speaker:** The member for Lake Nipigon is out of order.

**Mr Conway:** —Mrs Caplan up, picks her licence up, assigns her a fine. I'm driving even more quickly alongside her, I'm not picked up, I'm not fined.

We've got a situation that someone who violates the Highway Traffic Act and is dealt with conventionally by a police officer can and probably will, if there is a serious violation, lose points and will have an impact on his or her insurance as a result. There is no such impact under the photo-radar provision. It is simply going to levy a fine and nothing else.

It's hard not to read this, as my friend from Etobicoke West has said, and the member for St Catharines, and not see it as substantially a revenue grab. My objection continues to be that this is not the way we do business in this province. There is a fundamental question of civil liberties here.

Yes, there is a problem. I accept it. I accept there is a problem, but I say to my friends on all sides, it is unfair and it is unjust to submit the Ontario citizenry to this kind of arbitrary, silent, secret, electronic, covert intelligence. I just think that is obvious.

My friend the minister of justice can chortle, but I've got to tell you that I think there is going to be an erup-

tion of public protest when people understand this policy for what it is. In my view, it is an unfair, unjust, Orwellian intrusion into the daily lives of Ontarians. It clearly has as one of its principal if not its main intention a significant revenue grab. It is going to treat individual citizens who have committed the same offence differently, and that difference alone I think ought to concern people.

Yes, we have a problem. I accept that. I used the examples yesterday. As I travel down the 401 eastbound, everybody passes me at 120. I accept those data and I accept that we have to do something, but I want to tell you, these means of photo-radar are objectionable, obnoxious, they are not the Ontario way, and I respectfully ask that they be withdrawn.

**The Speaker:** The Attorney General has up to five minutes for her response.

**Hon Marion Boyd (Attorney General):** The member for Renfrew has again managed to create a cathartic situation for himself here and additional time for the discussion of Bill 47. One of the reasons I was eager to participate is that I feel so strongly that this is a good move on the part of our government that I want to defend very much the move that we've made.

It is very clear that our intention as a government to make Ontario roads the safest in this country will be furthered by the moves that we are suggesting under Bill 47. Photo-radar deals with an acute safety issue by increasing our ability to monitor highways and therefore it provides a deterrent for people from driving at high speeds.

At this point we have agreed that we will pilot photo-radar and we will examine how well it works. We will review any concerns that come up as a result of its use, and we will make further decisions concerning its usage in the province after that review.

The member suggests that taking an action to prevent a criminal act from being completed is Orwellian.

**Mr Chris Stockwell (Etobicoke West):** Yeah, but you don't get it. You get the criminal with those, you get the licence plate with this. You're not convicting anybody under what he is saying.

**The Speaker:** Order. The member for Etobicoke West will come to order.

**Hon Mrs Boyd:** I suggest that taken to its further extent, this member is suggesting that photo-radar is similar to such things as video cameras in banks or convenience stores. Is he suggesting those should be taken down? We know how important they are in terms of creating safety and protection for people working in those institutions and aiding in justice.

What kind of Orwellian reaction is that? This type of surveillance is to keep people from breaking the law. It is not to interfere with the rights of ordinary citizens going about their ordinary business.

*Interjection.*

**The Speaker:** Order. Stop the clock, please. I must caution the member for Etobicoke West. His interjections are not acceptable. Minister.

**Hon Mrs Boyd:** The report from the Information and Privacy Commissioner, Mr Wright, was on workplace privacy, the need for a safety net in the workplace. Mr Wright was talking about such practices as having surveillance cameras in washrooms. He was talking about things like mandatory testing, random testing of all employees for HIV or for drugs, and he was saying that these things are an infringement on people's rights because there was no reason to assume in those kinds of situations where people were in their workplace doing their work that this was an appropriate kind of a thing. He spoke very strongly and we as a party have spoken very strongly about the kind of infringement of civil liberties that comes from that kind of randomized situation.

The beauty of the photo-radar thing is that it will not pick up a car unless that car is going over the speed limit. It will only catch those who are breaking the law, and in fact it would probably be of interest to the member to know exactly how sensitive it is.

**Mr Robert Chiarelli (Ottawa West):** You are randomizing all provincial offences with this bill. What about plumbers' permits? It's a provincial offence.

**The Speaker:** Order. The member for Ottawa West is out of order.

**Hon Mrs Boyd:** In fact it would capture Mrs Caplan and you as you go down the road because this is very quick film and in fact what it would do is that.

The member says this is surveillance that would infringe on individuals. It takes a picture of the licence plate, not of the individual driver. The third party says, "You should be taking pictures of the individual driver," and indeed we're saying no.

What we're concerned about is if a vehicle is being driven at this speed, the owner of that vehicle will be held responsible for that because even if that owner is not the one who is driving, that owner is responsible for the vehicle he or she owns. We are held responsible for the vehicles we own by our insurance companies. Our insurance companies often are the ones that pay the price for this.

In Australia, where this has happened, the deaths, fatalities and accidents have been cut by 50%. We have seen a huge drop in the fatalities in other jurisdictions in North America that have used it and it is extremely important for us to do that.

In conclusion, we have spent this afternoon talking about the problems in our health care system. I ask the member to remember that if we are successful in cutting the carnage on our roads, \$9 billion that we now spend in terms of health care for those who are injured in car accidents in this province will be available to use in more positive ways within the health system.

It is extremely important for us as a government to take this preventive measure and we utterly reject the accusations of the member for Renfrew.

**The Speaker:** There being no further matter to be debated, this House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 1822.











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Troisième session, 35<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 3 November 1993

# Journal des débats (Hansard)

Mercredi 3 novembre 1993



Speaker  
Honourable David Warner

Clerk  
Claude L. DesRosiers

Président  
L'honorable David Warner

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Wednesday 3 November 1993

The House met at 1333.

Prayers.

#### MEMBERS' STATEMENTS

##### AFFORDABLE HOUSING

**Mrs Yvonne O'Neill (Ottawa-Rideau):** I bring to the attention of this House a motion passed yesterday by Toronto city council endorsing "the Salvation Army's retrofit of 135 Sherbourne Street as a major initiative aimed at alleviating the problem of homelessness in Toronto and, that the city of Toronto strongly urge the government of the province of Ontario to reconsider its decision and provide funding to the Salvation Army for the retrofit of 135 Sherbourne Street in the city of Toronto as soon as possible."

Many economists and social workers in the city of Toronto have reinforced the fact that there is a growing underclass, that the number of those on the outer margins of society is increasing, that there is real suffering in our midst. We know that the Salvation Army has been able to raise 83% of the amount of this retrofit through its own fund-raising efforts.

This province is being requested to provide but 17% of this investment in the people of this city. The Salvation Army has been turned down because it does not fit into the ideologically driven criteria of this government. The indispensable work the Salvation Army has provided to the city of Toronto for over 100 years has been rejected as unsupportable by this government.

I hope the minister will respond to the request for reconsideration which appears in the motion I have read in this House this afternoon.

##### CHILD CARE

**Mr Charles Harnick (Willowdale):** I would like to bring to the attention of the Legislative Assembly the workplace day care crisis in North York. For over six months, I have been working with representatives from the Little Prints Day Care Centre in an effort to help them attain minimal funding from the Ministry of Community and Social Services. Thus far, we have been ignored.

Little Prints has raised, from the private sector, \$200,000 of the \$375,000 necessary to properly equip the centre.

There is a demonstrated need for the day care spaces in Willowdale.

**Mr Anthony Perruzza (Downsview):** You know Little Prints has always done well for themselves. I can remember them when I was on North York council.

**The Speaker (Hon David Warner):** Order, the member for Downsview.

**Mr Harnick:** The city of North York has only half the number of infant, toddler and preschool day care spaces that it requires.

The government has announced that it is giving \$1.4 million to a day care centre in Barrie, \$800,000 to a centre in King City, but it can't seem to provide the small

amount of funds needed for a centre in central North York. The funding would increase the number of spaces available from 27 to 90.

Not only do the government's spending practices discriminate against the people in my riding, but the government once again is not spending its scarce resources wisely. The financial benefits of the project would far outweigh the expenditure. The funds would not only provide much-needed day care spaces but also jobs for child care and construction workers.

North York council recently passed a motion that asks the government to respond to the discrepancies in its funding practices. I call on the government to end its discriminatory spending and to address the drastic shortage of workplace child care services in central North York.

##### BUSINESS ACHIEVEMENT AWARD

**Mr Ron Hansen (Lincoln):** I rise to pay tribute to the winner of this year's Grimsby Chamber of Commerce Business Achievement Award, Canweb Printing. Canweb, which specializes in the printing of tabloids and magazines, started business less than two years ago with four employees, 7,000 square feet, six web presses and one folder.

Now 48 full-time and part-time employees run eight presses and two folders in 14,000 square feet. That's 48 jobs created since Canweb started business in 1992; 48 people who have acquired skills that will keep them employed in this new economy; 48 people who will pay taxes and buy goods and services from the local business community.

I am proud to say that the NDP government has helped Canweb create employment at its Grimsby plant. Just over a year ago, Ed Philip, then Ontario's Minister of Industry, Trade and Technology, announced a \$350,000 loan to Canweb, an excellent investment indeed, an investment that has paid off for the taxpayers of Ontario.

Canweb has also used the government's Jobs Ontario Training and Jobs Ontario Youth programs to help employees learn critical new skills, skills they will be able to use for the rest of their working lives.

I would like to personally congratulate Canweb Printing for its achievements, and I'm looking forward to seeing the company receive its Business Achievement Award this evening at Place Polonaise in Grimsby.

##### INTERPROVINCIAL TRADE

**Mr Dalton McGuinty (Ottawa South):** I want to remind the Minister of Economic Development and Trade of her statement made in this House on September 27. In that statement, the minister said this government could no longer stand idle in the face of the Quebec construction barrier. The minister, in her statement, referred to four measures she was going to introduce to address this problem. In speaking of the timing for implementing these measures, the minister made use of the word "immediately" four times.

It has now been 38 days since the minister promised to

take action immediately. No legislation restricting Quebec construction workers and goods has been introduced in this House.

Ottawa-Carleton is very sensitive to this very serious problem. Even though we have unemployment in our local construction industry running between 40% and 60%, depending on the trade, there are still over 4,000 Quebec workers being employed in Ottawa-Carleton construction sites.

This means that there are over 4,000 Ottawa-Carleton construction workers who could be employed today but are not because the minister has not yet moved on this issue. That means that there are over 4,000 recipients of unemployment or social assistance payments in Ottawa-Carleton who are being kept, unnecessarily and against their wishes, on the public payroll. That means there continue to be 4,000 less taxpayers, 4,000 less happy, productive and fulfilled workers in Ottawa-Carleton because the minister has not yet introduced legislation.

On behalf of those 4,000 Ottawa-Carleton construction workers, I demand that the minister table her legislation mirroring the Quebec construction barriers immediately. These workers are not prepared to wait any longer.

1340

#### SENIOR CITIZENS' HOUSING

**Mr Bill Murdoch (Grey-Owen Sound):** Seniors are one of our most valuable assets in Grey-Owen Sound. Their volunteer spirit has established and assisted most of our charitable organizations and social programs. We owe them a debt of gratitude.

Because Grey is a pastoral and beautiful county which offers year-round recreation activities as well as proximity to the city, many seniors have chosen to retire in our area. Therefore, our seniors population well exceeds the provincial average.

Nowhere is this more evident than in Markdale, where according to the 1991 census, 27.7% of its residents are over the age of 65, while the Ontario average is 11.7%. Because of the continued influx of retirees from other parts of the province, that number is even greater today.

As these people age, their vulnerability to accidents and major health problems grows and their need for care increases. Because they have given so much to the community, I believe the community should give back to them. Therefore, in Markdale, I would like to advise the Minister of Housing that I support the application—

**Mr Gordon Mills (Durham East):** Why don't you tell Mike that?

**The Speaker (Hon David Warner):** Order. The member for Durham East, come to order.

**Mr Murdoch:** —of the Markdale Community Residences. This organization is very concerned with the serious lack of appropriate seniors' housing and wishes to rectify the situation. The councils of the village of Markdale and the county of Grey join me in this support. The community is concerned about the wellbeing and quality of life of these seniors who no longer wish to live in isolation and who crave proper health care and good company.

I urge the minister to take an interest in this proposal and give the application every possible consideration.

#### SOCIAL ASSISTANCE

**Mr Gordon Mills (Durham East):** I haven't got any prepared speech. I'm going to talk about welfare. Last week, I heard the Leader of the Opposition, I heard the leader of the third party and they unmercifully attacked the Minister of Community and Social Services about welfare, but never once did I hear anybody over there talk about corporate welfare. Corporate welfare: When are you going to talk about that?

We had games in the SkyDome this year, we had playoff games, we had the World Series and I can tell you that there was more corporate welfare fraud that took place in the SkyDome during the World Series than has happened in any welfare office across Ontario. That's where the fraud is: welfare corporate fraud.

I can tell you that this is from the Toronto Star and it says: "We need an overhaul of corporate welfare." These people are ripping off the taxpayers. They should have paid. They have profits of \$87 million. They should have paid taxes at 36% and all they paid was 17%. I don't want to hear any more about welfare fraud until you people start talking about corporate fraud. That's where the trouble is. Corporate fraud is absolutely disgusting. They're ripping off everybody in the SkyDome every day of the week and it's shameful.

#### SPORTS HALL OF FAME

**Mr James J. Bradley (St Catharines):** I had the opportunity last evening to attend the Shriners-Knights of Columbus Sports Celebrities Dinner, at which we have groups of different religious persuasions working together for good charitable causes in our part of the province of Ontario. At this dinner, seven people were inducted into the St Catharines Sports Hall of Fame.

They included Pete Cameron. It's said of Pete Cameron that, "It would be difficult to locate a St Catharines athlete with more diverse talents than Pete Cameron."

"As a youngster, Cameron...played baseball, softball, basketball, soccer and lacrosse and won his only three boxing matches."

Bob Thorpe was also inducted into the sports hall of fame. He played with the city's first junior A team, the Falcons. He was involved in semipro hockey throughout his career and named to the Canadian Lacrosse Hall of Fame.

Bill DeMars, under the category of builder—as a trainer-executive fund-raiser and general handyman.

Rose and Joe Engemann: Who can deny what they have done for young people through the Spartan Athletic Club as over the years they have given thousands of youngsters an opportunity to participate in sport?

George Howard, now 87, may not have invented hockey, but he's the only surviving cofounder of the first hockey league in the Niagara region.

Craig Swayze, in the field of the media, has done more to promote the sport of rowing than most people in the media would in a lifetime.



Congratulations to all the winners and to the Knights of Columbus and Shriners of St Catharines.

#### DISCLOSURE OF FINANCIAL INFORMATION

**Mr David Tilson (Dufferin-Peel):** I rise today to inform all members of this House of my intention to introduce a private member's bill which I prepared and will be tabling to amend the Labour Relations Act. These amendments are in response to the Treasurer's announcement a few weeks ago that will force private companies to disclose compensation packages of their top five executives.

My amendments to the Labour Relations Act will mirror the government's own regulations as they relate to executive compensation packages. My private member's bill will require that the details of the salary paid to the top five highest-compensated union representatives would be tabled annually with the Ontario Labour Relations Board.

This will ensure that both management and labour are being held to the same level of openness and accountability. Union members would have the right to see what their top executives are being compensated to represent their interests, just as in the same way they will be able to examine the top five positions in the company they work for.

The NDP government often talks about fairness for the worker and level playing fields. I'm confident they will support my private member's bill to allow trade unions to operate under the same rules of disclosure that private companies are now being asked to adhere to.

I am pleased to present this private member's bill on behalf of the thousands of union members of Ontario who have not been represented by the current government.

#### QUEEN'S UNIVERSITY

**Mr Gary Wilson (Kingston and The Islands):** Recently, thousands of people from across Canada and abroad converged on Kingston for alumni weekend at Queen's University.

One special event was the 100th anniversary of the faculty of applied science, which drew crowds of graduates back to the university for celebrations of the university's justly famous engineering program.

Engineering began at Queen's in 1893 when Principal George Grant and Kingston native Premier Oliver Mowat teamed up to establish the provincially funded Ontario School of Mining and Agriculture at the university. Applied science has prospered in Kingston ever since, and Queen's engineering graduates have been responsible for many of the great developments that have built Canada into such a prosperous country in the past 100 years.

I am pleased to say that the tradition of provincial support for Queen's has also flourished since then. Indeed, another alumni weekend event was the dedication of a plinth outside the university's Stauffer Library, now under construction. The province committed more than \$28 million to the library under the former government, and we have been pleased to follow through on that commitment. We look forward as well to the imminent construction of the new biosciences complex at Queen's,

for which our government announced \$25 million in funding earlier this year.

The great return on these investments, of course, is the creation of a learning environment that puts Queen's at the forefront of higher education in Canada. As evidence of this high standing, I'm pleased to note that Ron Watts, Queen's professor and former principal, perhaps Canada's foremost expert on federalism, was honoured this week with a distinguished educators award from the Ontario Institute for Studies in Education. I'd like to offer my congratulations and thanks to Professor Watts for his contributions to higher education in Ontario and Canada.

#### ORAL QUESTIONS

##### SOCIAL ASSISTANCE

**Mr Murray J. Elston (Bruce):** I have a question to the Minister of Community and Social Services. I would like the minister to tell me how a 22-year-old student living in Kitchener-Waterloo can receive an assistance cheque for himself and two children he doesn't have, issued out of the Mississauga offices of the family benefits assistance program and sent to him at his home in Port Hope. Can you tell us the procedure by which this fellow would get that cheque?

**Hon Tony Silipo (Minister of Community and Social Services):** No. I think it's clear from the circumstances the member has described that if that is what's happening, something obviously has gone wrong in that particular instance. I'd be happy to pursue that information he's provided and to be able to respond, not on the details of it, but to assure him that obviously we will look at the particular situation and see what has gone wrong if the facts as he describes them are correct.

**Mr Elston:** The facts I've described are correct, and I add to them the fact that this gentleman was issued with a dental card and a drug card for children he doesn't have. He was issued this cheque for \$1,596.99, and thanks to his honesty and his having raised this in returning the cheque, the money was not spent by the Ministry of Community and Social Services.

I want the minister, when he checks on this, to again look into how this could happen and to tell us exactly what he has done to ensure that the people who are receiving cheques out of various offices are actually living at the addresses that are given, and I want him to tell us exactly what steps he's going to take to absolutely ensure that people who haven't even applied for welfare—this person didn't apply for it—won't be sent a cheque. I want him to come back and make a full report as to how he is going to stop the leakage around the social assistance system.

1350

**Hon Mr Silipo:** Again, let me say on the particular instance that I would appreciate it if the member would forward to me the information he has, because that's the only way in which I can pursue it and ensure and be able to provide an adequate response to exactly what is happening in those circumstances.

As to the broader issue that obviously the member is raising, I want to again say to him, first of all, that we are taking, as I have indicated on a number of occasions

in the House, a number of steps, including steps that involve the addition of staff to specifically review files and to specifically determine whether people are entitled to the allowance they are receiving, to the benefits they are receiving. I indicated in the House how already that has resulted in our finding some overpayments.

As part of the steps that we are putting in place now, that are now in place going through the system, we are adding even more staff to be able to deal with that. We are doing that at the provincial level; we are doing that also together with the municipalities because of their responsibility for general welfare assistance.

I would be the first to say that I believe we need to do more, and we are in the process of looking at what more we need to do.

**The Speaker (Hon David Warner):** Could the minister conclude his response, please.

**Hon Mr Silipo:** This is a problem that I believe we need to be tackling in a very serious way. I intend to continue to look at what measures we can add to the ones that are already in place to ensure, as the member would want us to and as everybody else in the province would want us to, that benefits are going to those people who need them.

**Mr Elston:** The minister already is doing more. This is the new staff training manual, with this funny little rendering on the front required under the expenditure control plan, which your ministry has put out.

One of the things the minister has done to tighten up the system is to advise all clients that there will be no home visits with respect to renewing their applications. In fact, it is indicated here, and I'll read: "The information update report is to let us know if there are any changes in your situation." This is advice to the client saying, "You only need to file with us if you've changed your address or if your rent has been changed," or whatever. For example, you must complete an information update report if your address or rent has changed or one of your children has left school or home. If there haven't been any changes, you don't need to send this card in. In fact, these cards are only sent out every couple of years under your new, tighter controls to prevent the leakage around the system.

Our problem here is that we all want to ensure that the people who need our assistance are able to get it, but the minister has not yet explained to us what steps he is going to take to make sure the type of errant cheque-issuing which occurred in this one particular situation is going to be stopped. I want to hear, if the minister will, if he will provide us with all of the steps, in a chronological order, which he has implemented on his own account over the last two months to try to tighten up the welfare system so that the deserving and needy people in this province can get access to timely services.

**Hon Mr Silipo:** I would be very happy to provide to the member, and to all members of the House, in writing the things that I have been saying, and in much more detail than the time in question period allows me. I think the member will see that we have taken and are continuing to take a number of steps to ensure that the benefits

under the social assistance system are in fact going to people who are entitled to them and that we do deal very seriously with issues of fraud or issues of abuse in the system.

I take that issue quite seriously. I think we can show very clearly in answering the member's query how we are doing that. Again, I would say to the member on the issue of home visits, which I know he's raised now for the second time, that yes, there have been some changes in terms of asking people to take responsibility directly for filling in the information. But the only difference there is whether we ask people to come into the office to get that information or whether they are able to send it to us in the mail.

The bottom line remains that where the income maintenance workers believe a home visit is warranted, they have every right and every encouragement on our part to carry out those visits. That basic issue hasn't changed. Again, it's one of the steps among a number of steps that we are taking and that we certainly need to look at what we can add to around this issue of ensuring that both issues of fraud and issues of general abuse and even overpayment are addressed, and are addressed in a very serious way.

#### WINDSOR CASINO

**Mr Steven W. Mahoney (Mississauga West):** My question is to the Minister of Consumer and Commercial Relations. I have here a letter from the law firm of Koskie and Minsky, which represents the Essex and Kent Counties Building and Construction Trades Council. In this letter addressed to you and to the Honourable Brian Charlton, Chair of Management Board, they claim that your government has failed to follow its own requirements for tendering government contracts at the temporary casino at the art gallery in Windsor. This is not in reference to the request for proposals, but rather for the construction contracts. I also have a copy of the lease document for the Art Gallery of Windsor, in which the government of Ontario is the tenant and the gallery is the landlord.

Minister, are you aware of this letter that I refer to, and did you in fact obtain competitive contracts for the construction work on the temporary casino in Windsor?

**Hon Marilyn Churley (Minister of Consumer and Commercial Relations):** No, I'm not aware of that particular letter. I would like to take the question on notice for him today and get back to him when I have more information.

**Mr Mahoney:** I find it astounding. The letter is clearly addressed. It's sent by fax and personal delivery both to the minister and to the Chairman of Management Board. Perhaps you could have referred it to the Chairman of Management Board. Maybe he's done his homework. Maybe he would understand what the problem is here.

The lease signed by your government for the use of the Windsor art gallery as a temporary casino clearly states, and let me help you with this, that the gallery, ie, the landlord, must obtain at least five competitive bids from general contractors for the work they are doing on your



behalf. Yet the general contract for this project was given to one Mr Alphonse Finelli without putting out a call for bids from other contractors. Mr Finelli, for your information and the Labour minister's information, is well known as a non-union contractor in the city of Windsor.

Furthermore, the building trades council claims that the closing date for the subcontract bids was October 28, yet by that time construction work was already going on and indeed had been for some time. Obviously, that bidding process was meaningless too.

The building trades believe and I believe that such behaviour has made a mockery of the government's own tendering process. I ask you very pointedly, did you know that the construction work on the temporary casino in Windsor had simply been handed over to a non-union contractor without a competitive bid, and is this an appropriate way for your government to do business?

**Hon Ms Churley:** As I said to the member, I will get back to him once I get more details on the information he is presenting to me today.

**Mr Mahoney:** This is really quite remarkable. It was pointed out that the Minister of Education and Training interfered in the request for proposals bidding process and made a political decision to eliminate a number of companies that spent hundreds of thousands of dollars in submitting a proposal for this Windsor casino. He's already admitted that publicly. Here we have a minister who is charged with the responsibility for building the government's casino in Windsor and she doesn't even know whether or not there were competitive bids. We know there weren't. She doesn't even know it's a non-union contractor that is doing the work, while we know it's a non-union contractor that is doing the work.

Minister, let me ask you very pointedly. If in fact after you investigate and read your mail, are you prepared to issue a stop-work order on this project in Windsor until you clean up this terrible mess and at least give the workers in Windsor a sense that there is some fairness in this bidding process? Will you issue a stop-work order if in fact this turns out to be the case?

**Hon Ms Churley:** I will get back to the member. I'll be discussing the issue with the Chair of Management Board. Of course, Management Board has been involved in this process.

1400

I would like to say, however, that there are many parties involved in this process, including the art gallery, the city of Windsor and Management Board of the government of Ontario. I will get back to the member when I have discussed it with the Chair of Management Board and discuss the facts with him.

But I would also like to say to the member that as to the facts around the land for the interim casino, he knows very well that what he said in the House today is not based in fact, that we listened to the—

*Interjections.*

**The Speaker:** Order. New question, the leader of the third party.

**Mr Michael D. Harris (Nipissing):** My question is to the Minister of Labour.

**The Speaker:** To the leader of the third party, just a moment. I thought the minister had completed her response.

**Hon Ms Churley:** I was in mid-sentence. The reality is that we had involved the city of Windsor from the beginning in the decision around where the interim casino should go, and it overwhelmingly made the decision that it should go downtown.

**Mr Gregory S. Sorbara (York Centre):** That has nothing to do with it.

**The Speaker:** The member for York Centre, please come to order.

**Hon Ms Churley:** And we listened, as we always said we would, on the location for the interim casino.

**The Speaker:** New question, the leader of the third party.

#### WCB PREMIUMS

**Mr Michael D. Harris (Nipissing):** My question is to the Minister of Labour. For the past few weeks, Minister, we've been raising and asking questions about the huge WCB rate increases that Ontario workplaces will face next year. Time after time after time after time when we've raised these rate increases and we've talked about the necessity for them, you've had the typical response that governments have had around here for the last eight and a half years; that is, that you must hike taxes, you must hike rates. Never looking at the expenditures, never looking at the reason why this unfunded liability is going through the roof, you tell us that the only solution is to hike rates.

Minister, we have in Ontario a severe shortage of funding for group homes. We have thousands of vulnerable Ontarians in need of care. Given this, can you explain to me how raising the WCB rates of group homes by 205% in one year is fair?

**Hon Bob Mackenzie (Minister of Labour):** I've tried to deal with this with the member before, but he doesn't seem to listen. The average rate increase at the board this year is 3%. We are in the second year of a process of reclassifications where some industries, some businesses, are seeing their rates decrease and others are seeing them increase. The increases or decreases are based on their accident and health and safety record, and that's as it should be.

**Mr Harris:** Yesterday the Employers' Council on Workers' Compensation met with Mr Di Santo to discuss its outrage that these rate increases were being brought in without any consultation. In a letter to Mr Di Santo, of which I have received a copy today, Jim Yarrow, chairman of the Employers' Council on Workers' Compensation, has this to say about your 3% nonsense.

He says, "The board has advanced a shocking public relations campaign to whitewash over the true effects" of your decision. In your own press release you say, "The WCB announced that the board has approved 1994 assessment rates and declared that the average assessment rate will increase approximately 3%." Quote from Mr Yarrow: "At the very least, this is an attempt to mislead."

Can you explain to me why you are spouting the old line that Mr Di Santo is spouting when the Employers'

Council on Workers' Compensation is telling you this is going to mean devastating job loss, that it is misleading at the very least, and that these changes were brought about without one whit of consultation with the employers of this province?

**Hon Mr Mackenzie:** Once again I don't know where the research is of the leader of the third party, but I want to tell you that the business classifications have been increased from some 100 to 200-and-some classifications, and it was done to more accurately reflect the accident records and the health and safety records in those classifications.

While he's talking about the increases, he might talk about primary smelting and refining, where they're down 22%; industrial electronic industries, where they're down 9%; school bus operators, where they're down 7%. What I told him was the average increase across the board was 3%. There are ups and downs as the businesses fit into the new categorization.

**Mr Harris:** You keep repeating the information that Mr Yarrow today is responding to, "I was personally shocked with your frail effort to justify your move by saying you 'must administer the act, imperfections and all.'"

Here are the facts that Mr Yarrow advances: Since 1988, the number of accidents has decreased by 37%, the rate of injury has declined by 30%, yet the benefit expenditures have increased by over 50%. He says: "Either the board does not know the reason for this or is refusing to disclose the reasons. You and your administration are of the view that the answer to the crisis is to raise employer taxes. It is not. You must reduce expenditures now."

Can you explain to me two things: (1) why your response to this mismanagement is always to hike rates, and (2) why the board was able to make this decision without one whit of consultation? I quote again from Mr Yarrow's letter of today: "For the board to make a move of this nature without even discussing it first with the business community uncovers the board's true commitment to consultation." Can you explain why it was made without consultation and why your board thinks, as apparently your government does, that the solution to this crisis is to constantly hike taxes or rates?

**Hon Mr Mackenzie:** The answer is fairly straightforward. I might say that last year the rates went up or down by 3%; this year it's an average 3% increase, and they are related to the health and safety record in the various businesses. I think that's exactly as it should be.

I might tell the member also that the board has been doing I think an excellent job of trying to cut some of its costs. They flat-lined their budget last year in terms of the board's own expenses; they've decreased it this year. To me, that is some good management going on at the board.

**Mr Harris:** A second question to the same minister: I wonder if you could explain to me good management in view of Mr Yarrow's statement that, "Your decision and the manner in which you made it was irresponsible and reckless and has served to dispel any level of confidence

the business community had in you and your administration." He goes on to say, "Your refusal to reconsider the rate hike from the meeting yesterday and accept the business proposal from your own employer advisory group which was before your board will reap tragic consequences which you personally must shoulder." That is now you personally, Minister, since you're defending this decision.

Can you explain the contradiction in you coming in here and telling us that the unfunded liability is going up \$2 million a day, heading towards \$50 billion by 2014, contrasted with Mr Yarrow's conclusion as chairman of the Employers' Council on Workers' Compensation that says that it is irresponsible and it is reckless? Can you explain that tremendous contradiction between your view and what Mr Yarrow is saying?

**Hon Mr Mackenzie:** Let's go back and do a little primary education, which I think the leader of the third party needs. I want to tell him first, very, very clearly, that the WCB has been a contentious agency in this House for a lot of years. I know that well from my days on the other side of the House.

I want to tell him there has not been an awful lot done across the way to try to resolve some of the problems. I want to tell him also that there is a problem with governance, with unfunded liability, with a number of other issues at the board, and I want to tell him that this government is trying to deal with those issues. I want to tell him that the effort to bring to the Premier's Labour-Management Advisory Committee, both management and labour, the specific problems at the board was an effort to get the parties themselves involved in giving us what answers there might be, and that's a process that's still going on.

I find it rather deplorable that the leader of the third party would get up and attack that, and say, "You've got to come in with recommendations on one set of issues only, from one side of the issue, and immediately put them all in place," which would throw injured workers in the province of Ontario on the scrap heap, rather than letting the process finish, which is only weeks away from finishing. I think your approach to this is absolutely despicable.

1410

**Mr Harris:** The only way injured workers will be thrown on the scrap heap is if WCB goes belly up, and many, many people are telling you you're on the path and the track to going belly up, just like your government's going belly up, just like your Premier's going belly up.

By way of supplementary, soft drink manufacturing is up 16.6%, furniture manufacturing 28%, publishing up 17.2%, paper products up 27.4%, metal products up 18.7%, aircraft manufacturing up 34.1%, lamp manufacturing up 79.6%. Can you explain to me how all these rate increases add up? Can you explain to me why that causes the chairman of the Employers' Council on Workers' Compensation, Mr Yarrow, to say this: Your saying they went up 3% "at the very least...is an attempt to mislead." Can you answer that allegation?



**Hon Mr Mackenzie:** If I wanted to be reduced to the same tactics as the leader of the third party, which I don't intend to be reduced to, I could go over the list of industries and companies and businesses in Ontario which are going to drop, and they're all within an overall 3% average in the province of Ontario.

I want to tell him that this government, this ministry and this Premier decided we were going to try to deal with the issue of resolving some of the problems at the Workers' Compensation Board, and that's exactly what we're trying to do.

**Mr Harris:** The minister keeps saying he doesn't get suggestions. Yesterday I gave you a proposal; you just dismissed it. Yesterday the Employers' Council on Workers' Compensation gave an alternative to continually hiking taxes. Mr Yarrow points out and gives a whole host of those areas where they're going up far in excess of 3%; it is not an exhaustive list. He says, "Our members who will suffer as a result of your decision are insulted by your attempt to explain this move as an average 3% increase. Those members will be forced to lay off workers," the very workers that you purport to protect.

Minister, are you prepared to look at the alternative that has been proposed by the Employers' Council on Workers' Compensation to save jobs, to keep people working in this province and to save the integrity of the Workers' Compensation Board so we don't have a disaster where injured workers will find themselves abandoned and on the heap pile, as you call it? Will you listen to alternatives other than the disastrous policy your mismanaged board is heading in today?

**Hon Mr Mackenzie:** That's exactly what we're trying to do while the leader of the third party tries to euchre the process. We've had one part of the issues we put before the PLMAC in the report the member is referring to.

We haven't yet gone back to the Premier with that. We haven't yet gone to the Premier with labour's recommendations on it, and yes, we will look at all of the recommendations that are there. But if we followed your lead and dealt with the first batch of recommendations only, what we would do would be simply to throw injured workers in the province of Ontario on the scrap heap, and that this party does not intend to do.

#### JUSTICE SYSTEM

**Mr Robert Chiarelli (Ottawa West):** My question is for the Attorney General. The United States government, through undercover customs agents, has been engaging in unauthorized law enforcement activities in Ontario. There has been a series of incidents, and your ministry is familiar with one in particular, the case of Ken Walker, a Toronto commodity broker.

Mr Walker, having done absolutely nothing illegal in Canada, was lured on to a plane destined for the Bahamas by US undercover customs agents who arrested him when the plane touched down in New York. He was a victim of a sting operation originating in the United States, based on US customs regulations never intended for Canadians.

Your officials are refusing to prosecute the US agents who entrapped Mr Walker, stating the alleged facts do not constitute a crime in Ontario. You now have on your desk a pre-trial civil ruling of September 16 by Mr Justice Day in the Ontario Court which clearly states the alleged facts constitute a kidnapping in Ontario of Ken Walker.

Madam Minister, my question is this: Why won't you stand behind Ontario resident Ken Walker and prosecute those who entrapped him and lured him to the United States on a trumped-up charge?

**Hon Marion Boyd (Attorney General):** This case has been reviewed a number of times by officials in the Attorney General's ministry. We have read the judgement of Mr Justice Day and our determination still is that there are no facts on which we can establish the offence of kidnapping under section 279(1)(b) of the Criminal Code. This person was not unlawfully confined within Canada, and when he was arrested in the United States it was pursuant to a court-ordered process.

We have encouraged and we know that Mr Walker has approached the federal government as to whether or not the action of these US custom officers constituted a circumvention of the US-Canada extradition treaty. That is a federal matter in which we have no part to play.

**Mr Chiarelli:** This is a very serious issue. There have been repeated cases of US enforcement officials trying to make incursions into Canadian territory. With respect to the decision of the court of September 16, it states quite clearly that "Canadian kidnapping jurisdiction has recognized that a victim's will can be overcome equally by either force or deceit."

In this particular case, referring to Mr Walker, Mr Justice Day said quite clearly: "Once Mr Walker boarded the aircraft at Toronto, he could no more leave it than change its destination. The United States government defendants were awaiting his arrival at La Guardia, having planned to lure him there for his arrest." It is very clear in the judgement, Minister.

In addition to that, there is such a pattern of these incursions by US agents that Canada prepared a brief before the United States Supreme Court in 1990, where it said, "Canada's stated policy is to prosecute any individuals, even if they're official agents of the American government, on these types of cases," where there's an abduction or by deceit, bringing people into the American jurisdiction.

You now have a clear interpretation from an Ontario court. You have a clear policy of the government of Canada that these abductions are illegal and will be prosecuted.

**The Speaker (Hon David Warner):** Could the member place a question, please.

**Mr Chiarelli:** Your inaction is sending a clear message to these US enforcement agencies that it is open season in Canada for entrapment stings.

My question, Minister: Will you issue specific instructions to your crown law office officials to revisit this case in order to protect the integrity of our justice system from these Rambo-like tactics of US enforcement agencies?

Will you do it? Will you protect the integrity of our system—

**The Speaker:** The question's been asked.

**Mr Chiarelli:** —and the rights of our individual citizens?

**The Speaker:** Would the member please take his seat.

**Hon Mrs Boyd:** The case has been revisited a number of times. I will discuss it again with the crown law officers in the ministry, but I would remind the member that it may well be that there is a general kind of sense that this is happening. There need to be facts on which to prosecute, and in this particular case this person entered the aircraft willingly, according to his own fact evidence, and was not confined on Canadian soil in any way.

#### VIOLENCE IN SCHOOLS

**Mr Michael D. Harris (Nipissing):** I hope the Minister of Labour is a little more forthcoming with the northwestern chamber of commerce when it meets with him today. WCB was certainly one of their big concerns that we heard today. Another one, though, was education, and so my question is to the Minister of Education and Training.

Earlier this week, the Scarborough Board of Education passed a zero tolerance policy on school violence. Minister, do you endorse this policy and do you intend to recommend it to other boards in the province?

**Hon David S. Cooke (Minister of Education and Training):** I certainly endorse a policy of zero tolerance for violence in our school system. I don't think that's an issue that any of us would disagree with.

We are working, as I told the leader of the third party before, in consultation with boards, teachers, police and other professionals across the province on a more comprehensive policy in the Ministry of Education which I hope we'll be able to talk about publicly before Christmas.

1420

**Mr Harris:** Police at the International Association of Chiefs of Police conference in St Louis last month were told that school violence is a major problem for the 1990s and that administrators are not equipped to handle the problem. What we've found—many boards in a vacuum now are looking at security guards in their schools as a way of combating violence. Other boards may be looking at the Scarborough example.

The problem is that without some leadership from the province, there is this vacuum there, that different teachers and different boards and different parents will try to fill and interpret zero tolerance in many different ways. I say to you, as Minister of Education, that you and your government must provide the provincial leadership. Can you tell me specifically what you plan to do to ensure that schools don't become a dangerous place for our children and that we don't have this plethora of different policies in different schools that are very difficult to interpret? Can you tell us that?

**Hon Mr Cooke:** I agree with the leader of the third party that there has to be a policy direction provided and leadership provided by the Ministry of Education. I think

I have stated before that I'm not satisfied that leadership has been adequately provided by the Ministry of Education.

That's why we're working on a more comprehensive province-wide policy and we're going to have to address the issues of prevention, the issues of more comprehensive reporting, as well as how we deal with instances where there are weapons and violence that occur directly in our schools. I think it has to be a comprehensive policy. I'm not satisfied that we've done enough and I'm determined we will do that. That's why we're working on it now.

**The Speaker (Hon David Warner):** The Minister of Health with a response to a question asked earlier by the leader of the third party.

#### HEALTH CARDS

**Hon Ruth Grier (Minister of Health):** I have a response to a question the leader of the third party raised yesterday with respect to an OHIP card which had been sent to the wrong address and which related to a newborn infant. I'm happy to tell him and tell the House a bit of the process by which newborns are assigned health cards.

When a child is born, the hospital has a pre-printed health number which is assigned to the infant and then later a card is sent. In the case that the leader of the third party raised yesterday, the card was incorrectly sent to the wrong address. In the case of a newborn, charges while that infant is in hospital are then made to the number that has been assigned on birth.

In the case of the card that was raised by the leader of the third party yesterday, I'm happy to be able to tell him that no inappropriate charges were made to that particular number.

**The Speaker (Hon David Warner):** Supplementary?

**Mr Michael D. Harris (Nipissing):** No.

#### TAX REVENUES

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Premier and I'd like to follow up on your explanation on the lost revenue and the underground economy. I think the Premier's aware that an all-party legislative committee is looking at this issue. The wealth of evidence we've seen to date suggests that the problem is probably a \$2-billion to \$4-billion revenue problem; that's what most witnesses suggest is the size of the problem.

I read with interest your belief of the primary reason for it and I think you said the problem is with the GST. I think you said there is no other explanation over the last two to three years as to why, when the economy is in a state of growth, our revenues would be stagnant. My question is this, Premier: Of that \$2-billion to \$4-billion revenue shortfall, how much do you attribute to the GST?

**Hon Bob Rae (Premier):** I appreciate the member's question and I would say to him that, if he wants to look at the full context of the response I gave in a scrum, what I said was that I was referring to what I felt was the GST as having not only a major factual intrusion into an area that until its introduction had been exclusively occupied by the provinces—and the reason we took the federal government to court was because we objected so strongly



to this intrusion. I think it's very hard for us to calculate with complete mathematical certainty what the impact is.

I'd also say to him that I don't think the GST is the only problem. In all my discussions with the federal government, I've emphasized that we not only have the duplication of the GST now on sales, we have duplication on tobacco, we have duplication on gasoline, we have duplication on income tax, we have duplication on virtually every commodity tax that's there. This is quite contrary to what the Fathers of Confederation foresaw as the fair share between the provinces and the federal government when it comes to taxation.

**The Speaker (Hon David Warner):** Could the Premier conclude his response, please.

**Hon Mr Rae:** I don't think we should neglect the fact that we now have an opportunity, with a new Liberal government elected in Ottawa—I know the member will be sharing our view and will be following with us as we try to sit down with the new Liberal Party government in Ottawa—to say to that Liberal Party government in Ottawa: "You campaigned on fair taxes. You have a mandate to get rid of the GST, to abolish the GST, which was the campaign promise you solemnly made to the people of Canada." We will be working with the people of this province to ensure that the Liberal government in Ottawa lives up to its promises—

**The Speaker:** Would the Premier please take his seat. Supplementary.

*Interjections.*

**The Speaker:** Order. The member for Scarborough-Agincourt has the floor.

**Mr Phillips:** I appreciate that the Premier's heart is still in Ottawa. In many respects, I'm sure he's sorry he ever left it, but I ran for the provincial Legislature and my role is to hold you accountable. I didn't choose to run federally, I chose to run here in the province.

Next week, Premier, you know that your first six months' financial results will be out. We've been told by you that the revenue shortfall is between \$800 million and \$1 billion. We've been told that two thirds of that will be personal income tax revenue. We understand and you understand, Premier, that the personal income tax revenue in this province over the last three years, the amount of money we've gotten in, has dropped by \$2 billion. At the same time, Premier, you know you have raised personal income tax rates by \$2 billion. So you expected personal income tax to go up by \$2 billion and it has dropped by \$2 billion.

That's the reason I raised the question of the underground economy. You believe it's the GST. In fact, you said there is no other explanation. My question to you is this, Premier, and we will be looking with interest at the financial results next week, what has led you to believe that there is no other explanation than the GST when we see personal income tax revenue actually dropping dramatically over the last three years? We understand from you, Premier, that when you bring the results out next week, we will see another \$600-million shortfall over what you would have expected. What is causing that to happen, Premier?

**Hon Mr Rae:** I think we've just seen the problem, if I may say so to the honourable member, with a scripted question that doesn't hear the answer I just gave. I thought I gave a very clear answer to the first question in which I talked about the problem of duplication as it applies across the board.

I would say to the honourable member that, first of all, he's got to recognize that the figures that relate to a lower revenue flow this year on personal income tax and the adjustments we've had to make have to do with an adjustment that the federal government made with respect to 1992 numbers. It does not have to do with any budgetary increases which were put forward by the government in the last budget. So you're comparing apples and oranges and trying to come up with a crate of pomegranates, and as usual it doesn't work.

I would say to the honourable member, if it makes him feel any better, that the discussion we have to have with the federal government applies to taxes across the board in which we have to come up with a system that is fairer as well as a system that is more efficient and that gives all of us the revenues we need to pay for health care, to pay for education and to pay for the kinds of services that the people of this province and the people of Canada need.

**The Speaker:** Would the Premier conclude his response, please.

**Hon Mr Rae:** I look forward to the member's support in our campaign as a province to see that the federal government gets out of the way on the GST, because it has had a very negative effect on the tax system overall. I'm sure that he will make sure and he'll be writing personally to Mr Chrétien to see that Mr Chrétien lives up to the one fundamental promise which he has made on behalf of the Liberal Party. I know as a good Liberal opposite, he'll be firmly in support of the abolition of the GST, which was a central campaign feature of the Liberal Party in Ottawa.

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#### WORKPLACE HEALTH AND SAFETY AGENCY

**Mrs Elizabeth Witmer (Waterloo North):** My question is for the Minister of Labour. Since October 6, I have been telling you that many groups and individuals are strongly opposed to Mr McMurdo's reappointment as management co-chair at the Workplace Health and Safety Agency. They do not believe that he represents their interests.

For the record, do you still deny that the business community is dissatisfied with Mr McMurdo's record and is strongly opposed to his reappointment? If you do recognize that this is in fact the case, will you explain why you personally insist on his reappointment?

**Hon Bob Mackenzie (Minister of Labour):** I don't agree that there is such a unanimous position in the business community and we haven't finalized the decisions there yet, although there has been a good job done at the health and safety agency.

**Mrs Witmer:** You are not listening. You do not have the right to blatantly interfere in this bipartite process in the manner in which you and your deputy minister have.

Your deputy minister recently indicated to the management representatives that the government is going to reappoint Mr McMurdo because you are satisfied with his work. That is irrelevant. He is not your government's co-chair and he is not the labour unions' co-chair; he is the management co-chair. This blatant disregard for the wishes of management makes a complete mockery of democratic principles and the idea that the WHSA is a cooperative agency in which both business and labour have an equal role.

I ask you one more time: Will you follow democratic principles and allow the management community to nominate and appoint their own co-chair without any interference from you or your deputy minister?

**Hon Mr Mackenzie:** It's obvious that the critic for the third party is discounting totally the management members who are on the board at the agency now, and I find that very difficult to understand.

#### SENECA COLLEGE CAMPUS

**Mr George Mammoliti (Yorkview):** My question is to the Minister of Colleges and Universities. Again, I'm having to stand up and ask in the Legislature a question that my constituents are certainly concerned about. It's an issue that I brought up in the House yesterday, and that is the Seneca College proposal that we all believe should go to the Jane and Finch community.

Continually, I have written letters and, continually, I've had to have meetings with your staff and the previous minister's staff. I have met with you in particular on a number of occasions. Quite frankly, I am not happy with the responses. I am truly concerned that Yorkview and the Jane and Finch community are going to lose out on what we call the most important thing that this government could ever give to the Jane and Finch community.

I don't have to tell you that 65% of our public housing—

**The Speaker (Hon David Warner):** Will the member place a question, please.

**Mr Mammoliti:** —tenants are on social assistance. A Seneca College campus will help get those people off social assistance, and that's proven.

Are we or are we not getting a Seneca College campus at Jane and Finch?

**Hon David S. Cooke (Minister of Education and Training):** I must say I'm not quite sure why the member is not satisfied since the member knows that a \$200,000 planning grant was given to take a look at the possible locations. That report's only been in to the government for a few weeks now, and while we move quickly in our ministry, we can't be expected to move that quickly. Yes, the member has talked to me and I've explained all this to the member. I'm more than willing to explain it on the record, but I don't think it's particularly fair to say that a member is unhappy with something that is moving as quickly as possible.

**Mr Mammoliti:** We appreciate the previous minister giving \$200,000 to our community to conduct a study and giving it to Seneca College to conduct a study. That study has now led to this report that Seneca College has given to our community.

The community agrees, everybody agrees, that the site should go to Jane and Finch and nowhere else. It shouldn't go to Vaughan, it shouldn't go to York University, it shouldn't go anywhere else in this city except Jane and Finch. It can do more good at Jane and Finch than anywhere else.

Mr Minister, I need a commitment. I need a commitment today from you. I need a commitment for my constituents.

*Interjections.*

**The Speaker:** Order.

**Mr Mammoliti:** I need to know how you stand on the Jane and Finch proposal, Mr Minister, and I'm hoping it's positive for us.

**Hon Mr Cooke:** I wish things were that black and white. Not everybody agrees with the honourable member. Not everybody agrees with any one of the particular areas that are being looked at. There are certainly pluses for the Jane-Finch area. There are also pluses, quite frankly, for the York University location. We're working through the process and we're going to be looking at the pros and the downsides for each of the locations. But I think the member's wrong to say that everybody unanimously agrees with the member's position. That's not the case.

#### HIGHWAY CONSTRUCTION

**Mr Hans Daigeler (Nepean):** My question is to the Minister of Transportation. Minister, last week the press reported that Ontario plans to push the incoming federal government to start spending money quickly on a variety of road, sewer and transit projects under the Liberal's promised job creation program, and this is what Premier Bob Rae said: "I've asked everyone within the public service to go through the federal Liberal red book and see what we can do together. We'll start calling them up as soon as they're sworn in and say: 'We're ready to do these things. Where are you?'"

Minister, in eastern Ontario, as you know, we have a project that is ready to go, and that project is called Highway 416. Last year you put phase 2 on hold indefinitely and you said you didn't have sufficient money available. In view of the fact that the new Prime Minister, who's going to be sworn in tomorrow, has said he's going to support just these kinds of projects, will you now put the second phase of 416 back on track and will you make the 416 one of the top priorities that you and the federal government will work on and fund together?

**Hon Gilles Pouliot (Minister of Transportation):** Long before the writs were issued, long before the little red manifesto became night and bedroom reading for the fans, long before that, Premier Bob Rae went on television and said that he would match dollar for dollar in terms of infrastructure any new money that was to come from the feds.

We've had a change of heart. The people have spoken. Blue led to red. We are looking forward to working with our new-found friends, because this is exactly what we're talking about. The federal government doesn't spend one red penny on provincial highways, and now I see my



friend saying, "Come on with us." Well, you do the same. We'll be reciprocal. We'll tell everyone, for every dollar you put in, we will match you. We will put people to work.

We're already spending in excess of \$38 million this year on Highway 416 north. You want to have it completed in its entirety—and 416 south. Let's do it together. We will be there like soldiers at our post.

*Interjections.*

**The Speaker (Hon David Warner):** Order.  
1440

**Mr Daigeler:** I am prepared to say thank you if the rhetoric that was coming forward is in fact a confirmation that the minister will be on the phone tomorrow or the next day with the new federal Minister of Transport and he will say, "Yes, we are ready to pull the 416 back off the shelf and we are ready to go with you and complete the 416 in the time that was originally scheduled."

My question to you then again is—because there was a lot of rhetoric about your commitment that you seemed to say—have you already instructed your officials to reopen the files on the second phase of the 416 to make sure that this project, where the engineering is all done and construction could start in the spring on the second phase will—have you instructed your officials to put this dossier back on track and will you contact the federal minister as soon as possible, at the earliest possible opportunity, to get the two governments together and to sign the full commitment towards the completion of 416?

**Hon Mr Pouliot:** Under the previous administration, when the phone in my office did not ring I knew it was Ottawa calling. I take the proposal from the member across with a great deal of seriousness and sincerity. We will do it together. In the meantime, we have asked our officials—and you're right on—to look at every opportunity, even involving at the infrastructural level, under a new concept, the free enterprise system, departing from the form that it's always the job of the government.

Let's do it together in this case. It's a new partner in the equation. We look forward to it. The thought, the idea is well taken. If not done after the swearing-in tomorrow, within 24 hours, I will endeavour—and I promise—to call my federal counterpart, offer him congratulations and invite him to partake in this project.

BUS TRANSPORTATION

**Mr David Turnbull (York Mills):** I have to say I would love to have a question to the minister following that particular one because they are the ministry—

**The Speaker (Hon David Warner):** To whom is your question directed?

**Mr Turnbull:** —that dragged their heels about a joint venture with the federal government on infrastructure.

**The Speaker:** Order. The member for York Mills please resume his seat. What is more appropriate is if he would identify the minister to whom he wishes to direct a question.

**Mr Turnbull:** My question is still to the Minister of Transportation. In response to a question by my colleague the member for Wellington yesterday with respect to

longer bus lengths, he said, "You're getting the legislation." Minister, the legislative mechanism is already there.

On July 14 of this year, you brought in Bill 74, an act to amend the Highway Traffic Act, dealing specifically with longer truck lengths. My question to you is: When will you bring in Bill 74 for second reading and will it contain an amendment to reflect the longer truck lengths?

**Interjection:** Bus lengths.

**Mr Turnbull:** I'm sorry, I should have said "to reflect the longer bus lengths," an addition to that bill.

**Hon Gilles Pouliot (Minister of Transportation):** The question is welcome. I appreciate the member's candour that there's so much going forth in terms of transportation safety programs, expediency, competitiveness in the marketplace. So the trucks have gone from 48 feet to 53 feet. It's a safety issue as well. It's an economic competitiveness issue. It's also an environmental issue.

More pertinent to your question, which is very well taken, as an answer to your colleagues, our friends, yesterday, I could've been out of step in terms of going out on the limb and saying maybe it can be done by legislation. Well, I did think that it could be done by legislation. Now it's a matter of process to say, do we need regulation or not? I've asked our legal people, the people who draft legislation, whether it can be done by regulation. That way it gets done quicker. If not, we'll have to go through the process and we will have, like all competing priorities, to get seated. To notify the parties across, that takes a little more time.

I'm sympathetic to the idea. I say this at great risk. I don't wish to prejudice our caucus. Our democratic process demands that all of us together make a decision on important matters such as this. In the meantime, one possibility would be—

**The Speaker:** Could the minister conclude his response please.

**Hon Mr Pouliot:** —to enact a de facto situation whereby we could issue permits. But first we must probe the waters. We must ask the people who are making it possible around here, if yes or no, they wish to acquiesce to what I call the reality of longer buses by a few feet to accommodate the marketplace and to be able to compete with other jurisdictions.

**Mr Turnbull:** On repeated occasions, I and many of my colleagues on this side of the House have asked questions to the Minister of Transport, and once in a while it's acceptable to be the court jester, but I've got to the stage where I am absolutely fed up with a minister who is obviously not briefed on the issues. I presume when he made his answer to my first question now, he was admitting that he didn't know what he was talking about yesterday.

My question was very specific, and it ran along the lines as to whether you would be amending Bill 74. I'm not talking about bringing it under the guise of some other bill. You brought in a bill last summer—

**The Speaker:** Will the member place a question, please.

**Mr Turnbull:** Are you going to bring back Bill 74 to address the issue of long trucks and to address the issue of long buses, as opposed to tacking it on to graduated licences? I'm going to say this in advance: We've already discussed graduated licences in committee; we've agreed it's a good idea. We don't want that tacked on to Bill 74.

**The Speaker:** Would the member complete his question, please.

**Mr Turnbull:** Are you going to bring back Bill 74 for second reading—

**The Speaker:** The question has been asked. Would the member resume his seat, please. Minister?

**Hon Mr Pouliot:** This is a bit of a twist. Obviously, if it can be done by consent of everyone, if you wish, because once you open the door to amendments, in political jargon, the vultures start gathering—

**Mr Turnbull:** What a lot of drivel.

**Hon Mr Pouliot:** No, no—only in that context, and you will come up with several amendments.

What we're trying to do, and we're searching long and hard, is to find possible ways to make it happen as quickly as possible. We couldn't care less, as long as the people win, who gets the credit.

My critic opposite—I've been putting up with him for over two years now—always makes it a point to go to the bottom of each and every matter. He has a resilience that is uncanny, that is rare, and I appreciate this. By the same token, to refer to the honourable minister as a court jester makes him a—

**Mr Turnbull:** Point of order, Mr Speaker—

**Hon Mr Pouliot:** There he goes again.

**The Speaker:** What is out of order?

*Interjections.*

**The Speaker:** Would the member take his seat first.

**Mr Turnbull:** On a point of order, Mr Speaker: You have an obligation as Speaker to cut off drivel that is being talked in this House.

**The Speaker:** The member does not have a point of order.

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#### MEMBER'S BIRTHDAY

**Mr Randy R. Hope (Chatham-Kent):** On a point of privilege, Mr Speaker: As most people reach the milestones in their lives, I think it's important for this House to recognize our colleague George Dadamo, the member from Windsor, who is celebrating his 40th birthday today.

**The Speaker (Hon David Warner):** The member does not have a point of order, and indeed the honourable member is suitably embarrassed.

#### PETITIONS

##### CASINO GAMBLING

**Mr James J. Bradley (St Catharines):** This petition is addressed to the Legislative Assembly of Ontario:

"Whereas the Christian is called to love of neighbour, which includes a concern for the general wellbeing of society; and

"Whereas there is a direct link between the higher

availability of legalized gambling and the incidence of addictive gambling (Macdonald and Macdonald, *Pathological Gambling: The Problem, Treatment and Outcome*, Canadian Foundation on Compulsive Gambling); and

"Whereas the damage of addiction to gambling in individuals is compounded by the damage done to families, both emotionally and economically; and

"Whereas the gambling market is already saturated with various kinds of government-operated lotteries; and

"Whereas large-scale gambling activity invariably attracts criminal activity; and

"Whereas the citizens of Detroit have since 1976 on three occasions voted down the introduction of casinos into that city, each time with a larger majority than the time before;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario cease all moves to establish gambling casinos."

I will affix my signature to this petition, as I agree with its contents.

#### PROCEEDS OF CRIME

**Mr David Tilson (Dufferin-Peel):** I have a petition of 28 signatures from my riding of Dufferin-Peel. It's addressed to the Legislative Assembly of Ontario:

"Whereas criminals can currently derive profit from the sale of recollections of their crimes; and

"Whereas criminals can also derive profit for interviews or public appearances; and

"Whereas this can cause suffering of crime victims and of their families;

"We, the undersigned, demand that private member's Bill 85, Proceeds of Crime Act, 1993, be passed into law."

I have signed this petition, and I support this petition.

#### INTERNATIONAL TRADE

**Mr Drummond White (Durham Centre):** I have a petition here signed by many people in my riding with concern to the free trade deal:

"Whereas we feel that the Canada-US free trade deal has done immeasurable damage to the economy of the province of Ontario, causing the loss of more than 45,000 jobs in Ontario alone; and

"Whereas we feel that the proposed North American free trade agreement will have an even more devastating effect on Ontario, resulting in a loss not only of more jobs but also a reduction in our environmental standards, our labour standards, our workers' rights and our overall quality of life;

"We petition the Legislature of Ontario in Toronto to fight this trade deal with whatever means possible, and we petition the House of Commons in Ottawa and the newly elected government there to live up to their commitment to stop this deal now."

It is signed, as I mentioned, by Sharon Fiance, Marie Genesse, Larry Houghton and Maureen Thorne in my riding: good, hardworking people concerned about their jobs.



## CASINO GAMBLING

**Mr Alvin Curling (Scarborough North):** I have a petition that reads:

"To the Legislative Assembly of Ontario:

"Whereas the New Democratic Party purports to have a commitment to family life and a quality of life for all the citizens of Ontario; and

"Whereas families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures; and

"Whereas the New Democratic Party has had a historical concern for the poor in society, who are particularly at risk each time the practice of gambling is expanded; and

"Whereas the New Democratic Party has in the past opposed the raising of moneys for the state through gambling; and

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly along with a process which includes significant opportunities for public consultation and full public hearings as a means of allowing the citizens of Ontario to express themselves on this new and questionable initiative."

I sign this in agreement.

## HIGHWAY NOISE BARRIERS

**Mr Bob Huget (Sarnia):** I have a petition from the Sarnia Citizens Highway Noise Reduction Committee. It is a petition to the Legislative Assembly of Ontario and reads as follows:

"I, the undersigned, am requesting that the appropriate levels of government take immediate action to resolve the excessive noise levels on the Sarnia corridor of Highway 402 (which cuts a path through 100% residential). I support the reduction of the speed limit to 70 km/hr and the installation of an effective noise barrier."

This petition has been signed by 478 constituents in my riding of Sarnia. I am in strong support of this petition and affix my name to it.

## CASINO GAMBLING

**Mr Tony Ruprecht (Parkdale):** This is a petition to the Legislative Assembly of Ontario:

"Whereas the New Democratic Party government has traditionally had a commitment to family life and quality of life for all the citizens of Ontario, and families are made more emotionally and economically vulnerable by the operation of various gaming and gambling ventures," as we all know;

"Whereas the New Democratic Party has had a historical concern for the poor in society, who are particularly

at risk each time the practice of gambling is expanded, and the New Democratic Party has in the past vociferously opposed the raising of moneys for the state through gambling;

"Whereas the citizens of Ontario have not been consulted regarding the introduction of legalized gambling casinos despite the fact that such a decision is a significant change of government policy and was never part of the mandate given to the government by the people of Ontario;

"Therefore we, the undersigned, petition the assembly of Ontario as follows:

"That the government immediately cease all moves to establish gambling casinos by regulation and that appropriate legislation be introduced into the assembly along with a process which includes significant opportunities for the public to be consulted and full public hearings as a means of allowing the citizens of Ontario to express themselves on this questionable initiative."

Mr Speaker, I sign my name to this petition, and I want you to know that.

## OPP DETACHMENT

**Mr Larry O'Connor (Durham-York):** I've got a petition here that I'm bringing forward on behalf of the constituents who are concerned about the preservation of law and order in their community. The residents are concerned because they read an article that appeared on the front page of the *Sunderland Sun* on September 28, and there's a fear that they might lose their OPP station.

"To the Legislative Assembly of Ontario:

"Whereas the Beaverton OPP station has been a long-standing, integral part of the Beaverton area community;

"Whereas many of the officers and staff have established permanent homes in the Beaverton area and have become strong voices in the community in volunteer and non-profit groups"—in fact, many of them were involved in the car rally this past weekend to help the Sandgate Women's Shelter;

"Whereas the OPP station provides an economic benefit for the Beaverton community;

"Whereas the OPP station provides a much-needed policing presence;

"We, the undersigned, petition the Legislative Assembly as follows:

"We demand that the Ontario government maintain the OPP station in Beaverton," as the closure would be detrimental to the security and safety and the wellbeing of all Brock residents.

Mr Speaker, I have one of the people who work in that detachment here today.

## REPORTS BY COMMITTEES

STANDING COMMITTEE  
ON GOVERNMENT AGENCIES

Mrs Witmer, on behalf of Mrs Marland, from the standing committee on government agencies presented the committee's 10th report and moved its adoption.

**The Speaker (Hon David Warner):** Does the member wish to make a brief statement?

**Mrs Elizabeth Witmer (Waterloo North):** No, I have no comment.

**The Speaker:** Pursuant to standing order 106(g)(11), the report is deemed to be adopted by the House.

STANDING COMMITTEE  
ON RESOURCES DEVELOPMENT

Mr Huget from the standing committee on resources development presented the committee's report on graduated licensing and moved the adoption of its recommendations.

**The Speaker (Hon David Warner):** Does the member wish to make a brief statement?

**Mr Bob Huget (Sarnia):** Yes, Mr Speaker, if I could.

The committee held public hearings from September 7 to September 16 in Toronto, Ottawa and St Catharines. During the course of these hearings, the committee heard from numerous groups and individuals, including representatives from driving schools, driver educators, transportation research and safety organizations, automobile and motorcycle associations, the insurance industry, police associations, medical professionals and private citizens.

The committee would like to thank the staff and officials of the Ministry of Transportation for their expert assistance and their cooperation throughout the committee's deliberation on graduated licensing.

In addition, the committee would like to acknowledge the assistance of its support staff: Tannis Manikel, clerk of the committee, and Andrew McNaught, research officer.

Finally, the committee would like to express its support for the process adopted to consider this issue. In particular, the committee believes that referring draft legislation to a committee, rather than legislation which has received second reading in the House, promotes a non-partisan and cooperative atmosphere in which a committee can function effectively.

In addition, such a process enhances the integrity of the committee's work as well as the integrity of the legislative process as a whole. The committee suggests that more issues be handled in this way.

I move the adjournment of the debate.

**The Speaker:** Mr Huget moves the adjournment of the debate. Is it the pleasure of the House that the motion carry? Carried.

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STANDING COMMITTEE  
ON REGULATIONS AND PRIVATE BILLS

Ms Haeck from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill Pr56, An Act to revive Ottawa Jewish Home for the Aged.

Your committee begs to report the following bills as amended:

Bill Pr50, An Act to amend the Institute of Municipal

Assessors, the title of which is amended to read "An Act respecting the Institute of Municipal Assessors of Ontario";

Bill Pr52, An Act respecting the County of Hastings;

Bill Pr59, An Act respecting the City of Kingston.

Your committee recommends that the actual cost of reprinting be remitted on Bill Pr50, An Act respecting the Institute of Municipal Assessors of Ontario.

**The Speaker (Hon David Warner):** Shall the report be received and adopted? Agreed.

INTRODUCTION OF BILLS

REGION 2, IWA BUILDING SOCIETY ACT, 1993

On motion by Mr Bisson, the following bill was given first reading:

Bill Pr65, An Act to revive Region 2, IWA Building Society.

YORK-DURHAM HERITAGE RAILWAY  
ASSOCIATION ACT, 1993

On motion by Mr O'Connor, the following bill was given first reading:

Bill Pr64, An Act respecting York-Durham Heritage Railway Association.

LABOUR RELATIONS AMENDMENT ACT, 1993

LOI DE 1993 MODIFIANT LA LOI  
SUR LES RELATIONS DE TRAVAIL

On motion by Mr Tilson, the following bill was given first reading:

Bill 116, An Act to amend the Labour Relations Act /  
Projet de loi 116, Loi modifiant la Loi sur les relations de travail.

**Mr David Tilson (Dufferin-Peel):** I read a statement in the House earlier on this proposed bill. The purpose of the bill is to make information available to the public about compensation paid to the presidents and other executive officers of trade unions. The Treasurer of this government has indicated the importance of making senior executive officers in the private industry available.

I would ask unanimous consent that second reading of this debate be made today.

**The Speaker (Hon David Warner):** The question's in order. The honourable member has asked for unanimous consent to proceed to second reading. Agreed? I heard at least one negative voice.

ORDERS OF THE DAY

CAPITAL INVESTMENT PLAN ACT, 1993

LOI DE 1993 SUR LE PLAN D'INVESTISSEMENT

Resuming the adjourned debate on the motion for third reading of Bill 17, An Act to provide for the Capital Investment Plan of the Government of Ontario and for certain other matters related to financial administration / Projet de loi 17, Loi prévoyant le plan d'investissement du gouvernement de l'Ontario et concernant d'autres questions relatives à l'administration financière.

**Mr David Tilson (Dufferin-Peel):** I got about halfway through my presentation some time ago with respect to this bill. Of course, this is a bill which is to set up a number of crown agencies, three new crown corporations in particular, the Ontario Transportation Capital



Corp, the Ontario Realty Corp and the Ontario Clean Water Agency.

We've heard considerable debate in this House and in committee on this topic, and I think the question still remains, why are we creating this new set of bureaucracy? Why are we setting up these new crown agencies? The public in the past has had a great deal of difficulty understanding the working of crown agencies, the accountability of those crown agencies. Really, the public at large has no basic understanding of what happens when you have these crown agencies formed: the number of employees who are going to be there, who's going to be running them, specifically what they're going to do, the possibility of these crown agencies getting bigger and bigger and bigger.

It's an ironic time for a government that has talked about how it wants to downsize the government and has introduced social contract legislation as a result of which people in this province are losing their jobs as well as affecting their way of life. I will tell you, that's what this legislation will do.

This legislation is going to create three new crown corporations, and it will require a substantial number of people to run these corporations and will require a substantial amount of money to run these operations. The question has been asked, and I ask it again, about exactly why we are doing it. Will the system be any better now with these new crown corporations than the system we've had, which basically has had a substantial amount of accountability through this government? There's no question that there will be less accountability to the government through these crown corporations. The Provincial Auditor, unsolicited, has made some statements at the public accounts committee, to which I'll be referring very shortly, and his concern on the whole issue of accountability.

When you take operations of a government out of the consolidated revenue fund and put it into crown corporations, it creates many problems certainly for me as a person in this place, because I will have no say, I will have no right to question. For example, the Minister of Labour is continually standing in his place and saying he has no idea what is going on at the Workers' Compensation Board, that it's its business. The Minister of Environment and Energy is standing in his place when questions are asked with respect to the whole process involving the Interim Waste Authority and saying, "I don't have anything to do with that; that's their job." It's very important when we have major operations being conducted in this province that there be a system of accountability. That is the second concern I have with respect to Bill 17.

There's the issue of cost. There seems to be an idea coming from the government side that we're going to have much more money to do things, that we're going to have much more money to build roads, to improve our water systems and a whole slew of other things. The average person in this province knows that there's only so much money and it's fictitious to say you're going to have more money to perform the work this government is now doing. We all know we've got less money, and to

say we're going to create three crown corporations that will be allowed to create a debt—and perhaps the government will say in the next budget, "The deficit is down and the number of employees is down," and where has it all gone? It's gone to these three crown corporations.

That's the third issue, the issue of hiding the deficit. This has been spoken of by many members in this place, the issue of: What is the real deficit of this province? What is the real debt of this province? I can tell you, the debt of this province will not include the debt of these three crown corporations, and everything is being moved over with respect to these matters to these three crown corporations. We really will have less say as to what is going on in this place, we as legislators. I have a great fear about that.

The closing remarks of my speech to this House when we were last here had to do with a section in the bill which I read specifically to the House on the matter of the hospital debts. That had to do with section 33(3). I'll read the section again because it gives me great concern with respect to a situation that's occurring in my own riding of Dufferin-Peel.

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The section says, "Except for capital projects where the Minister of Health's share is less than or equal to \$1,000,000, a payment for capital purposes made by the Minister of Health to a hospital, as defined in the Public Hospitals Act or any other facility receiving funding for capital purposes from the Minister, that is charged to an appropriation of the Ministry of Health for the fiscal year commencing on the 1st day of April, 1993 shall be deemed to have been a loan from the Province to the hospital or other facility."

In short, what that means is that there was originally a grant that was promised by the former Minister of Health of the Liberal government. That promise came over to two different ministers of Health in the NDP government and still continues. That would be a grant to the Dufferin-Caledon Health Care Corp of \$24 million. Now, with Bill 17, and I think the section is quite clear, that will not be a grant; that will be a debt which the corporation will have to pay back to this new corporation being created by this government.

So it's rather deceptive to start off with a Liberal government, to go through two different Health ministers saying, "Yes, we want health services in Dufferin-Peel, in Dufferin-Caledon, and we're going to give you a grant of \$24 million." When Bill 17 passes, the \$24-million grant will suddenly become a \$24-million debt that the community must be obliged to pay back.

The ministry, of course, has reassured me and the health providers in my riding that they will pay this, the interest and the principal of the loan. And they've said that.

**Mr Kimble Sutherland (Oxford):** Yes.

**Mr Tilson:** Yes, they have said that. But what happens? Am I supposed to trust them? Are we supposed to trust them?

**Mr Sutherland:** It's a legally binding contract.

**Mr Tilson:** There's no legally binding contract. They

say they're going to pay the debt, but they're not going to pay the debt if the financial position of this province continues to worsen. The Treasurer stands up almost on a daily basis telling us of the financial position.

It gives us great concern with respect to the residents of Dufferin-Peel, and I suspect there are similar issues with respect to education and health care around this province, where matters that have been considered to be a grant are now a debt.

The member says it's a contract. That's fine, but we've all seen what happens to contracts in this province. We don't trust you. You set forward a social contract, unions bargain in good faith to reach a contract and you rub them out at the stroke of a pen. That's the fear I have as to what you could do with the constituents in my riding. Do I trust you? No, I don't trust you.

**The Acting Speaker (Ms Margaret H. Harrington):** Would the member direct his comments to the Chair.

**Mr Tilson:** Madam Speaker, I will direct my comments to the Chair, and I would like to refer very briefly to some comments that were made by the Provincial Auditor in the public accounts committee. He expressed grave concerns with respect to Bill 17, and he did this unsolicited. I'm sorry, it wasn't the public accounts, it was the standing committee on general government.

I have a few minutes left and I'm going to read some of the comments that the Provincial Auditor made. These are independent, unsolicited comments that were made by the Provincial Auditor in his concern, basically, with accountability because he is charged to make this place accountable. He has genuine fears as to the proposed accountability of these three crown corporations, that matters normally operated by various ministries are now going to be put in the hands of independent crown corporations.

These are some of the things he said back on August 17. "We saw accountability clauses appearing and disappearing in the draft legislation without being able to provide input or without finding out why these clauses were disappearing." He's had a concern with respect to accountability from the outset, even during the draft negotiations, the draft consultation process. He says: "I view Bill 17 as a first opportunity to enhance legislation for better accountability with the view that value for money be obtained. It is the result that I'm interested in, to ensure that we are obtaining value for money for the taxpayers' dollars."

He says these memoranda of understanding that have been put forward, "They're not tools that assist you, as members of the Legislative Assembly, in ensuring that you have the right tools to monitor, to control and take corrective action where necessary as these corporations are starting down the road and undertaking their activities."

He then expresses other concerns. "The corporations"—the three corporations that are being created—"are taking on operational and financial activities carved out of the operations and financial activities of the consolidated revenue fund."

That's exactly what they're doing. They're taking work

that this government and all the governments in the history of Ontario have normally performed and it's being handed over, for some unknown reason, to three crown corporations. The Provincial Auditor of this province is concerned with the issue of accountability, and so are we on this side of the House.

"The Legislative Assembly should have controls over the corporation's revenue and spending and over the total provincial debt through legislation since memoranda of understanding are outside the scope of the Legislative Assembly."

He is saying, as I read his words, that his hands are tied, that he is not going to have the right to advise as to the accountability process of these three crown corporations, this myriad of individuals who are going to be operating these crown corporations and doing things about which I, as a member in this place, could normally stand during question period or at other times, designated times, and place questions to the minister who's currently responsible for those issues. I no longer will have that right. That right is gone when Bill 17 is passed.

I don't know why they're doing that. The member for Etobicoke West says it's an effort to fudge the books. It's an effort for the Treasurer to stand up in his place and say that the deficit isn't going to be as high as it was because the debt's going to be over in these three crown corporations. He says it's a big fix, it's a scheme, and that's why it's being rammed through this House at a rather fast pace. Well, he may have a point and he's made his point, as have others in this place, but the issue of accountability continues to concern me and certainly concerns the Provincial Auditor. He says:

"The accountability rules should be strengthened to provide a financial position statement which combines the consolidated revenue funds and these corporations, and indeed all other government-owned corporations, so that the public has a picture of the overall financial position of the province."

That, in a nutshell, is the problem with Bill 17. We all know that. When you pass Bill 17, the general public and we in this place will have less of an overall picture of the financial operations of this province. There's no question. There's no getting away from that. The Provincial Auditor has warned you of that, yet you continue to proceed with passing this bill without these accountability processes.

Madam Speaker, I thank you for allowing me to say these few words. The Provincial Auditor went on for a number of pages and the time precludes me from speaking on that, but I can tell you, this place all of a sudden is now going to have less accountability.

**The Acting Speaker:** Thank you to the member for Dufferin-Peel. Now we have time for questions and/or comments.

**Mr Anthony Perruzza (Downsview):** It's really interesting to sit here and to listen to a Conservative talk about not taking on decisions that make good business sense. He will know from every lesson and from every business person that surely to goodness he has ever spoken to, and he has listened to this advice over and



over and over and over again, that the way to get some of these things and some of these projects and some of these initiatives moving, getting sewers on track, building roads, is precisely to get them away from government, to get them away from the stranglehold of bureaucracy, to put them in an arena where decisions could be made irrespective of political influence and can be made on an independent level based on good economic business sense.

Surely to goodness he will know all of that. What he's really angry at today is that somehow he senses and sees that his own political clout is somehow diminished, and I can't see how passing this act and proceeding with this bill does any of that. I would say to him, listen to good business sense and good business advice and support this initiative.

1520

**The Acting Speaker:** The member's time has expired. I would like to caution the member that we must not impute any motive to any member of this House. We have time for further questions and/or comments.

**Mr Perruzza:** On a point of privilege, Madam Speaker: I'm really not clear, if I'm to understand that you somehow reprimanded me or advised that I should watch what I say by imputing motives, I'm not clear on what motive or where that happened in what I said. Please be clearer because if there's something I said that is inappropriate or that imputes motive in one way, shape or form, I'll be more than glad to withdraw or to take that back. Please show me where I did that so I can correct the record. If not, please clear that.

**The Acting Speaker:** Certainly, to the member, I think what you would first do is you would look at Hansard and I will speak with you. If that's not clear, we will clear it up. I would like to go on now to the member for Parkdale.

**Mr Tony Ruprecht (Parkdale):** I'm delighted to be able to participate in this debate. The member for Downsview is still on his feet, and I'm not sure that he understood your comments, Madam Speaker, when you said he did impute motive, and I think you were absolutely right to say let him look at Hansard and then he will find how we impute motives in this House.

**The Acting Speaker:** I would ask you to make your comments to the member for Dufferin-Peel's speech, please.

**Mr Ruprecht:** I appreciate your comments, but let me address the issue the member for Downsview raised. We're not talking here about business sense. He's simply saying that if Bill 17 is passed, then what we would be able to do is to have a good business analysis and we could carry on with certain business that would then be automatically looked at by all the members, and all of us would have a right to ask questions in the House. It would certainly be questionable whether the auditor could make that kind of a statement if indeed he thought the circumstances under which Bill 17 is being passed were quite legitimate.

In fact the Provincial Auditor, as the member for Dufferin-Peel correctly indicated, and I guess the com-

ment goes to him as well, is really saying that this is a questionable practice, and he's looking at it with an eye to making some changes.

Certainly as members of the opposition, obviously, we would have a right to question it when the Provincial Auditor, who is authorized to look at the books, that the books this government has are not going to be cooked. That's his job, and if he starts to say this is a questionable practice, it ought to be looked at, it ought to be examined by this government. Certainly the member for Dufferin-Peel is quite right when he says if the Provincial Auditor says it's questionable, let's look at it and probably let's defeat it.

**Mr David Turnbull (York Mills):** I listened carefully to my colleague the member for Dufferin-Peel. As always, he brought a cogent debate forward on this matter.

It is somewhat distressing when I hear members of the government suggesting that if we were to speak to business people, in some way we would find that the practices were good and applauded by business people. The fact is, the government constantly likes to portray us, the Tories, as the party of business. The fact is, we do talk to a lot of business people and a lot of business people comprise our members of the caucus.

We're very aware of the accounting practices the government adheres to and we're very critical of them. Indeed, there was nothing to suggest in my colleague's debate that this was not a good idea to move forward with creative financing. What his concerns revolve around are the clear efforts by this government to hide debt. I will enlarge on this when I join debate later.

We have consulted very widely with the business sector and we have been told very clearly that there's nothing to suggest the government needs to create capital corporations in order to enter into joint ventures, for example, on the roads. In fact some of the people who are involved in bidding on building Highway 407 would sooner be directly in a relationship with the government, as opposed to a crown corporation as a filter in between. They have some concerns about that, but it isn't going to stop them going forward. There's absolutely nothing in creating a corporation that is going to make them want to do business more than with the government.

**Mr Sutherland:** The member for Dufferin-Peel indicated he didn't know what the basis for these crown corporations are. We have stated repeatedly, and I have stated repeatedly, that the basis for these crown corporations is to allow us to speed up projects by entering into longer-term agreements.

Ministries now can only account for budgets on a yearly basis. That's all the House and the Legislature gives approval for. If we want to speed up some of these projects and enter into joint ventures, then we have to ensure that we can make some long-term commitments. These crown corporations will allow that to occur. In terms of a project like the 407, because there's consideration being given to tolls, you have a regular revenue stream, you can go out and borrow money against the projected revenue stream and have the construction go ahead far quicker.

The member for Dufferin-Peel brought up the issue about grants versus loans to hospitals and school boards adding to their debt load. It does not add to their debt load. Yes, they will take the loan out. There is a guarantee, not just a guarantee but a written contract that the government of Ontario will provide the principal and the interest. That written contract, if it's not followed through, can be taken through to the courts to be upheld, as most written business contracts can be done. I would think a member who claims to be in a party of business would understand a simple thing like that about contract law.

With respect to accountability, the other issue the member raised, he seems to forget the Provincial Auditor will be the auditor for these crown corporations. That's pretty clear accountability. There are all kinds of new accountability mechanisms in these schedule 4 agencies that don't exist in agencies like the Workers' Compensation Board whose accountability mechanism, we remind members, was set up by the Conservative Party, not by our party.

**The Acting Speaker:** The member for Dufferin-Peel has two minutes to respond.

**Mr Tilson:** I want to thank the various members for York Mills, Oxford, Parkdale and Downsview for making comments on my address to this House.

I will say I'm still not convinced, particularly by the members of the government, as to why this bill is going forward. We can say these three crown corporations will do things more efficiently. Are you trying to tell me that's because this government is doing things inefficiently?

If that's the reason you're doing it, why don't you improve the ways in which this government does business? Why create more bureaucracy that's going to be unaccountable to the people of this province? If that's why you're doing it, to make the system more efficient, then the whole thing's a sham. It's a shuffling of cards and that's exactly what it is.

1530

A debt is a debt is a debt, to use a favourite quote of someone over on that side, and there's no question that these crown corporations will be able to incur debts, debts that the province of Ontario has in the past incurred, and that's the concern I suppose I have on this.

Of course, people in the water industry and the road industry are going to say, "There's going to be lots more money out there." But guess what? There's no more money out there. There's a debt, and that's the problem with this province, that you've piled up a debt since you came into office that this province has never seen before and now you're going to pass it on to three crown corporations. There's another bill in this place that's going to pass it on to municipalities and school boards and hospitals. It's unbelievable how you people think over there.

I will tell you I have a grave concern, as does the Provincial Auditor in this province. He commented on the remarks made with respect to accountability and the auditor's role in this. I obviously don't have time to read

it, but I'd recommend that before we vote on this bill all of you read, on the subject of accountability, the comments made by the Provincial Auditor to the standing committee on general government on August 17, 1993.

**The Acting Speaker:** Thank you. The member's time has expired. Are there any other honourable members who wish to participate in this debate?

**Mr Hans Daigeler (Nepean):** I am pleased to get an opportunity to participate in this debate. Every time it had been scheduled previously, I was unable to be here, either because I had to be in the constituency or was in committee. So I am pleased to be here, because this is an important bill before us.

There is a lot of money at stake and some very significant decisions that are being made by the government. Perhaps this bill is one of the key measures that the government may have taken in its probably one-time mandate. I think I'm pretty safe to say that after last week's federal election results.

But be that as it may, I also took part in the committee hearings when we looked at Bill 17. We had representations from various groups including, as was mentioned by the previous speaker, the Provincial Auditor. There were some serious concerns that were brought to the attention of the government and to the attention of the committee, and at the same time there was also strong support for some of the measures.

In terms of the concerns, I think they have been spelled out very clearly in this House, in fact before the hearings were held, by my colleague Mr Gerry Phillips from Scarborough-Agincourt and by other members of this House. The concern, as was just mentioned, is that the government seems to be trying to hide debt in the books of other groups. In particular, where I think this is most obvious is when it comes to school capital.

The debt that will be incurred for school capital will show up on the books of the school boards and no longer on the books of the province, which frankly is something that we fundamentally disagree with because the province is, at least so far, assuming full responsibility for that debt. I say "so far" because I'm worried that once that debt is moved off the books of the province, there may come a time when the province says, "We will no longer fully guarantee that debt," and there will be a part of it that the local taxpayer, the property taxpayer has to assume.

I think all of the members in the House will know the heavy tax burden already on the property owner. I'm sure you, Madam Speaker, and other members in the House have received complaints, especially from seniors who own their home and who sometimes feel they have to give up their home because the taxation load on the property owner is ever rising.

Obviously, if school boards have to cover as well part of the debt load that normally the province would cover, where do they get the money from? Mostly, they get it from the property taxpayer. I have a concern there. This is not in the legislation. At the present time the government is saying, "We will cover whatever debt the school boards will incur relating to the capital expenditures." I'm



concerned that the door is open and that at some time in the future the government may simply say, "The debt is on your books, so therefore you shall also assume a certain cost of paying for the debt." That's a serious concern to me which frankly hasn't been mentioned clearly enough and often enough yet.

I am very leery about this measure, because I used to serve on a school board and I know how easy it is for the government. I don't blame just this government. It happened in our government as well when we were there and it happened with the Tories. There is a shifting of financial burdens between the federal government, the provincial government and the municipal government, and there's no guarantee that the various levels of government will stick to their promises. So I think especially the school boards and the municipal level are rightfully concerned and will want to make sure the provincial government will keep its commitment towards assuming the full payment of the debt, even if the capital debt is on the books of the school boards.

I should say also in this context that I do hope the government will continue very strong funding and approval of capital expenditures for our schools. Obviously, that was one of the reasons the government put forward, that with this new capital corporation perhaps it may be possible to have even more capital available for new schools. I come from an area, fortunately still a very fast-growing area, where there is a need for new schools. I do hope that growth will resume very soon again in other parts of the province too.

What's one of the first priorities? It's new schools. We, under the Liberal government, made quite a bit of money, several hundreds of millions of dollars, available every year for new school construction. I remember those days in caucus when we pressured the Treasurer, who was always reluctant to spend the money; he was good that way. But we got a lot of demands from our ratepayers and from the people who were moving into new homes, who were saying, "We don't have a school; we need a school."

There's a lot of money involved and a lot of money required, and I certainly hope this government will continue to make money available for the schools we need, especially now when we're talking about infrastructure improvements and getting the economy going again. These are investments that stay with us. So I encourage the government, even though it may be shifting this whole capital financing off to a corporation, that the responsibility for the approval of the amount of capital that may be handed out in a particular year will still continue to rest, as far as schools are concerned, with the Minister of Education. He or she will still have to say, "You can spend that much money on new schools, but you can't build this additional school."

Certainly, in my area of Nepean, for example, and the Carleton boards, both the public and the separate boards have a very urgent need for a high school in Barr Haven, the area where I live. This has been on the books for a long time. Just recently, both the separate and the public boards put that as a top priority, and I certainly hope the government, whether it be the government per se or the

capital corporation, will be providing that funding very soon and to the extent that has been requested.

1540

There is obviously a great interest in having capital moneys available to do the infrastructure improvements that we need. Last night my caucus colleagues and myself were meeting with representatives of the sewer and water contractors, and yes, they are in favour of the provisions in this bill that make it possible to have this sewer and water corporation, the clean water corporation, I think it's called.

They are not as concerned, obviously, as we are about the possibility of the government trying to hide its debt. They are mostly concerned about jobs. They said almost 50% of the people associated with these contractors are presently out of work, so they're obviously extremely keen to resume infrastructure improvements.

There's no question; I don't think anybody debates the need, for example, for improving some of the sewer works that we have. The area where I come from, Ottawa-Carleton, with the support of the provincial government, has built some very excellent facilities for sewage treatment. Especially in the suburban cities, we've got new sewers and they are maintained to make sure we are treating sewage the proper way.

Obviously there are other cities, and the city of Ottawa is one of them, that because they're older, don't have the kind of infrastructure under the ground that first of all can meet the demand, because the demand is ever-growing. With more people coming in, there's demand on the sewer and water systems as well. Simply, their length of life has come to an end, because many of these pipes were built around the turn of the century; they're almost 100 years old.

I remember that when Jim Durrell was still the mayor of Ottawa, he took us on a tour to visit some of the sewers that were in Ottawa, and some of them were still made out of wood. As the contractors told us last night, this is not the only instance where this happens; it's in other parts of the province as well. These people are very concerned from a jobs point of view, but then also from the point of view of making sure that we have the infrastructure that can support our normal living.

I mean, we're used to clean water, we're used to it that the garbage is taken away, that the toilets flush and everything else, but somebody has to look into that. It's all too easy to say, "Well, somebody will take care of it." It isn't just somebody; somebody has to plan for it. There are engineering departments in the cities that are preparing this, and they are generally doing a very good job, but it costs money.

I guess the government is arguing—and I must say we were arguing as well. I remember that when Bob Nixon was the Treasurer he planned as well to introduce a sewer and water corporation that would look into some of these things. I think one can make arguments on both sides of the coin. Liberals, and I think Mr Chrétien at the federal level, certainly very clearly knew what the people out there were waiting for and hoping for, and that is job creation, to make sure that people get back to work and

can contribute to society and also can contribute again to the tax base because they work.

From that perspective, we're supportive of the initiative that has been put forward, as long as it is very clear who is responsible for the debt and as long as we can be assured, through the auditor and through the way we in this Legislature can scrutinize the expenditures, that we know very, very clearly that ultimately it is the province which is still responsible for all of these expenditures.

While I was talking a little bit generally about some of the global measures of Bill 17, I am, as Transportation critic for the Liberal Party, particularly interested in the section that establishes the—

**Mr Turnbull:** On a point of order, Madam Speaker: This is a terribly important issue, and I don't believe we have a quorum present.

**The Acting Speaker:** I would ask the clerk if she would determine if a quorum is present.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** A quorum is not present, Speaker.

*The Acting Speaker ordered the bells rung.*

**Clerk Assistant and Clerk of Committees:** A quorum is now present, Speaker.

**The Acting Speaker:** The member for Nepean has the floor.

**Mr Daigeler:** As I was saying, I have a general interest as a member of this House, obviously, in all of the provisions of this bill, but as Liberal critic for Transportation I'm specifically looking at the section of Bill 17 that deals with the Ontario Transportation Capital Corp. That's the corporation that will be looking after the construction of new roads.

Frankly, the sections in the bill that deal with this corporation are not very long and mostly, frankly, they have to do with how this corporation is going to collect the tolls and also how it's going to collect the fines if the tolls aren't paid. So if somebody is looking for real details as to how this transportation capital corporation will work, don't look for the bill. I'm sure there will be regulations that will be established that will be coming with this bill and all the details will be in the regulations.

When we were at the committee, not too many people came and spoke about the Ontario Transportation Capital Corp, but a few did. One of the groups that came was the Better Roads Coalition, and I think the members will be familiar with this organization, which obviously brings together road builders and other people interested in good road construction in this province.

Frankly, they echoed my own feelings and the feelings of my party. They did say that at first they had been hesitant to support other means of financing of our roads when revenues from the direct road user taxes provide over \$1 billion per annum more than is being spent on our roads. I'm quoting here from the brief from the Better Roads Coalition. "However, faced with an economy that continues to sag and a road system that badly needs expansion, we strongly support the principle of Bill 17, An Act to provide for the Capital Investment Plan of the Government of Ontario."

Again, like with the water and sewer contractors, I think these people are interested in getting people working again. They realize there are a lot of roads that need to be built still and a lot of roads that need maintenance, and in view of the needs that are out there, they are prepared to look for new ideas and new ways of finding perhaps the finances that will make the roads available.

Of course, the main purpose of this particular corporation is, according to the government, the construction especially of 407 north of Toronto and where tolls will be collected.

Now, so far we haven't heard from the government that it will be considering tolls on any other roads, although there has been some speculation with regard to the 416. Frankly, it seems to me that the only road that probably could be financed through tolls and at the same time give a reasonable return to the private sector would be the 407, in terms of just the strict usage, because obviously building highways is a very expensive undertaking. We all know that.

1550

To have enough traffic in this country, where our population is so spread across distances, probably the only area where there might be a reasonable return would be in the greater Toronto area. I understand that right now there are two consortia that are bidding for the possible contract for this 407 and are awaiting the establishment of this capital corporation, which I guess will then be in touch with whoever is the winning bidder and will make sure everything is in place for an early construction and completion of 407.

The Better Roads Coalition, while they did say they were generally supportive of the concept of the tolls, put forward a number of cautions and put those on the record. For example, they said: "Tolls must not be collected on existing roads. The program is intended to accelerate road construction and therefore must only be applied to new construction." Frankly, the way the bill is written at the present time, this would not satisfy the Better Roads Coalition because, according to the bill, it could be any kind of road where tolls could be collected. However, I understand that the Better Roads Coalition was able to get an agreement from the ministry that there will be an amendment forthcoming to make sure that only with the construction of new roads will it will be possible to finance the construction through tolls.

Another the point the Better Roads coalition made was that construction priorities of toll roads must be based on appropriate needs studies. I think that's a very, very good point and I sure hope the government will listen to this, because we know, when it comes to needs studies, that when we look at the ferry fees in eastern Ontario, where the government is backtracking very, very quickly, they didn't do any kind of study.

It's turning into a major embarrassment to the NDP members who are from eastern Ontario, because if the Minister of Transportation and I guess his officials had done a study first, at least the Premier wouldn't have had to go down there and say, "Well, we don't really know what the economic impact is of these new fees on the people of Wolfe Island and Amherst Island and so on."



They wouldn't have to set up now, somewhat after the fact, Brooke McNabb, who has been asked to do a study on what the needs are and what the ferry fees will mean for the people of Kingston and of Wolfe Island and of that whole area.

**Mr Ron Eddy (Brant-Haldimand):** It's backwards.

**Mr Daigeler:** As my colleague says, this is a way of operating backwards. Well, here's the warning from the Better Roads Coalition: Do your study before you make the decisions. "Construction priorities of toll roads must be based on appropriate needs studies."

Further, they said, "Toll roads must only be constructed where existing roads would provide road users with an option to bypass tolls if they so choose."

Then they say: "All moneys collected as tolls must be dedicated funds to be used exclusively to retire the capital and administrative costs of the facility on which it is collected. Once this debt is retired, such tolls must be removed."

I think this is a very good point, and I must say I was glad to see that in the current bill there are in fact provisions that precisely look after that. In other words, the revenue from the tolls will be used only for the construction of that particular road and not for the general revenue.

Further, the Better Roads Coalition said: "An agency should be set up by regulation or legislation to borrow capital funds to build the facility and collect funds to pay for the investment. These funds would then be protected by legislation for the construction of the facility."

Finally, they say: "Tolls must not be viewed as an excuse to relieve the government from its obligation to provide funds for the maintenance and expansion of the road system. Otherwise, the principle of tolls to accelerate construction would be subverted."

With these provisos and with these warnings that the Ontario Roads Coalition put forward—and some of them, I was happy to see, the government listened to, and I understand it is planning to introduce amendments that will recognize these concerns—the coalition said, "Therefore, with these amendments, the Better Roads Coalition withdraws its objections to Bill 17 and we strongly urge the early passage of the bill."

I listened very carefully to what the road builders had to say. I share, on the one hand, their concern. I share also, on the other hand, their interest in improving the infrastructure in the province and making sure that, for example, Highway 407 in the Toronto area and, as I said earlier in question period today and last Thursday morning during private members' hour, also the 416 in my area, but other roads as well, especially in the north—northern Ontario is looking obviously for a twinning of the Trans-Canada Highway. That too should be a priority for this government in particular, since it has several members from the north, and I've heard very little about what I think was an NDP promise.

I understand many of these NDP policies have gone by the wayside, but I'm sure the people from northern Ontario—in fact, this morning we had the Northwestern Chamber of Commerce representatives here—will be

reminding the NDP members from northern Ontario: "What about the road construction in the north?" If this new capital corporation will allow speedier construction of some of the roads in the north, I say good: I support that and I'm all in favour.

I should say, though, that collecting tolls and in that way building new highways may not be quite the panacea that perhaps people envisage. There are a number of concerns out there about these tolls, and I think that as the submission of the bids for the construction of 407 proceeds, some of these things will become clearer. In fact, I brought with me this request for proposals which the ministry prepared. It's very detailed, I must say. I read through the whole thing, a very detailed description of the requirements the government has of the private sector with regard to the construction of the 407.

But one of the things that's very clear in here and that I don't think the public has fully understood yet is that there are some adjustments that will have to be made to the design of the 407. Several interchanges are going to be deleted and other interchanges are going to be deferred. All of these are spelled out in great detail in this book, and I'm not sure whether the people in the greater Toronto area are fully aware that some of the interchanges that perhaps they had hoped for will no longer be there, basically because you can't have a tollgate at every interchange.

I understand that. If you're going with tolls, obviously you can't have everybody coming in from the sides, as it were, and perhaps getting away with not paying the toll. Obviously, you have to limit access and exit to such a highway in order to collect the tolls. But this means a significant change in the design of the 407 in the way it was announced so far, so I hope people will take a look at that and recognize that there is a tradeoff.

Of course the other factor we don't know yet at all is how high the total is going to be. This government seems to recognize, and in fact it is in the bill and in this request for proposals, that there would be a fair return to the private sector for advancing the money and also for constructing the road. However, what is that fair return, and will it be possible to come to an agreement between the government and the private sector that says, "Okay, this is a fair return," and will the public also accept that return as fair for them?

1600

These are all questions that are unanswered at this point. We simply don't know yet, and I sure hope that very soon we will know. I understand that the proposals for the construction of the 407 have to be submitted to the ministry very soon, and I hope to hear shortly thereafter from the Minister of Transportation and perhaps from the Treasurer about what decision they will have arrived at, whether in fact it is feasible to proceed with the 407 and with the tolls in the way they had planned.

While we do have some very serious concerns about the possible hiding of provincial debt in other institutions and other bodies of the province, at the same time we recognize that there is an element of getting the economy going again, of facilitating new construction and therefore employment for people. That, for us Liberals, is the top

priority, both at the federal level and at the provincial level. In that regard, I support those aspects of the bill and look forward, especially with regard to the tolls and the road capital corporation, to seeing how these proposals that have been submitted come together and what the reaction is of the ministry, what the facts and figures are. We want to make sure it's a very open process and that we know what is being put forward. We can make a judgement on that basis and debate it and discuss it in the House.

**The Acting Speaker:** The member's time has expired. We now have time for questions and/or comments.

**Mr Tilson:** I'd like to respond to a couple of comments the member was making with respect to toll roads. It brought to mind a concern of a constituent, not from my riding, actually, but from Brampton, who wrote a letter expressing a fear about getting involved in the road-building process that's going to be created by this province with respect to the private corporation. He's concerned specifically with the system that's going to be developed, which in the past has had abuse but was worked out. His letter says, "One can only assume that the system developed to prevent abuse is now being ignored." He lists a number of questions, and if I have time, I'd like to read several of them, because this bill will leave unanswered these very good questions that need to be answered.

"Why is the Ministry of Transportation abandoning the process of tendering their work to any qualified bidder? Why is a system developed over some 40 years of cooperation between DHO, MTO and ORBA to ensure that all contractors had a fair chance to bid work being ignored? How will the proposed system guarantee the taxpayers the best possible quality at the best available price? How do the government and the Ministry of Transportation select the two groups which are now apparently invited to tender proposals to the exclusion of all others?"

"Under the normal system, bidders are asked to tender on specific finite contracts. Each bidder is tendering exactly the same work. The low bidder is awarded the work, provided that he is reasonably close to the Ministry of Transportation cost estimate. How and by whom are the proposals to be evaluated? How is the Ministry of Transportation to know if they are obtaining the best price?"

"What an irony it is that this socialistic government cannot stomach day care centres run by private enterprise and is taking steps to eliminate them in favour of government-operated centres, while at the same time they propose to arrange for selected private groups to operate a private business on a public road for profit."

**The Acting Speaker:** The member's time has expired.

**Mr Sutherland:** I welcome the comment from the member for Nepean that he is supportive of the initiative. I even heard him say he supports this because it's a job creation initiative. I'm sure he'll pass that message along to his leader and we'll hear her talking about all the good job creation initiatives this government is carrying out.

The member for Nepean has acknowledged the need

for these corporations, how they are an innovative approach, how it will allow us to work with the private sector, which I know even the third party has been talking about for many years. I'm glad he acknowledged that.

He made reference to a comment about hiding the debt. There is no attempt to hide the debt. The establishment of these crown corporations was made in a very public announcement. The amount put forward was mentioned in the budget. With those two public statements, the announcements made by the Premier and also reference in the budget, I don't know how you can say, "You're hiding the debt," or, "You're hiding the cost of doing these projects," when it's been so public all along to everybody, not only to the people but also to the financial community and those people who lend us money.

I think it's great and a nice, refreshing change. Several other Liberal members who have spoken said they support this very important job creation project. I'm just looking forward to hearing the official Leader of the Opposition continue to tell all the people of Ontario about this very important job creation initiative this government is carrying out.

**Mr James J. Bradley (St Catharines):** I'm sure the member for Nepean, when he was addressing the assembly, knew that the job creation could happen with or without the crown corporations and that the only purpose, the only purpose, of establishing these corporations is to get the debt off the books. This government is completely obsessed with being seen as a government that's piling up the debt.

It's very clear they're politically manipulative. They want to ensure that they can show everybody in the next year or the year after, "Look how the deficit has decreased." That's what the member obviously is saying, that this is the problem. I agree entirely with him when he says that in fact the purpose of the crown corporations is simply to get that debt off the books.

Everybody knows that the NDP has a hard time dealing with these matters of finance. No one in the province expected that they could handle the finances in a way other than the way they have, and I accept that. But when I hear people in this House defend it who previously would have opposed this, I find it very disconcerting, because I know the member well remembers, and he may have mentioned this in his speech, the debate that took place when members of the then New Democratic Party in opposition were adamantly opposed to the establishment of a water corporation because they saw it as being just a development tool in those days. These were the days when one would mention major developers and say, "The government must be tied to these major developers."

Now we have as proponents of this legislation, as the member for Nepean has aptly pointed out, the same people who thought that the water corporation was just a tool for development, a tool to get around the Ministry of the Environment. Make no mistake, that will be a consequence, but the main purpose is simply to get the debt off the books.



**Mr David Johnson (Don Mills):** The member for Nepean has mentioned the Ontario Sewer and Watermain Contractors Association, and I want to add my comment that this is an excellent organization, an organization of contractors and engineers employing about 15% of the Ontario workforce, believe it or not, a huge percentage. I understand the problems they're going through at present in terms of unemployment and their concern with regard to investment in our infrastructure in the province. They've indicated to us that the value of the sewer and water underground piping is some \$35 billion, and they're recommending that we invest 1% a year—

*Interjections.*

**Mr Bradley:** Just worry about what your own government is doing; that's all you have to worry about.

**The Acting Speaker:** Order. The member for St Catharines, come to order.

**Mr David Johnson:** —which would amount to about \$350 million a year. At present, we're investing about \$100 million a year. Their message is a good one. They're concerned about the leakage in the system, the water that's being lost. They're concerned about the long-term maintenance.

The reality of this particular bill that's before us is that it provides no new funding for any of these activities that need to be done. The Ontario Sewer and Watermain Contractors Association says we should charge the true value for the water. I understand where they're coming from. It's an excellent message.

The reality we have to face is that to do that here in Metropolitan Toronto would increase the cost of water by about four times. This will be money out of people's pockets. People will consider this as an increase in tax and it will be difficult. If their property taxes, for example, were to go down an equivalent amount as the water tax was to go up, then people would accept it. That is the problem we're going to have to face, plus the reality that there's no new money—

**The Acting Speaker:** The member's time has expired. The member for Nepean has two minutes to respond.

1610

**Mr Daigeler:** I thank the members for their remarks. The parliamentary assistant, the member for Oxford, said there's no intent to hide the debt, and as evidence for that he points to the fact that this is all being publicly discussed and it was announced by the Treasurer and so on. But I'm sure the member knows that in the budget book next year most likely we will not see a section that will list all these corporations and the liabilities they have. If that's going to be included in the Treasurer's next budget book, I say fine. If the Treasurer will say in the speech he's going to make in this House, "In addition to these direct expenditures for capital, this province is also responsible and I, as Treasurer of Ontario, am also responsible for all these debts on the books of these other corporations, the school boards included," then I'd say fine, then I'd say he's upfront. But I'm very, very suspicious; I don't think that's what's going to happen. I think the Treasurer is going to have a nice book again, he's going to have a nice speech and he will say, "Our

expenditures have been significantly lowered," when in reality we know it was just a shifting of expenditures on to someone else.

However, I am still a younger member; I'm perhaps not as sceptical as the member for St Catharines. Sometimes I say: "Perhaps there are some honourable intentions left on the part of the government, on the part of the NDP. They have job creation at heart." I am prepared to accept this at face value in that regard.

**The Acting Speaker:** The member's time has expired. Are there further members who wish to participate in this debate?

**Mr Turnbull:** I would think that anybody watching this debate on television would be under the impression that the opposition parties and the government are talking about two different bills.

We've heard assertions by the government that it's not trying to hide debt. Well, turning to page 19 of this year's budget, we see the suggestion that this year's deficit would be \$9.2 billion. Then there's a little, tiny asterisk and in very small print—and you know how governments have always been concerned about outside companies that contract, particularly with the citizens of this province, having very fine print on the bottom of their contracts, but in the fine print it says, "Capital expenditures and debt adjusted to reflect new capital financing arrangements by \$0.8 billion in 1993-94, \$1.2 billion in 1994-95, and, \$1.7 billion in 1995-96."

**Mr Chris Stockwell (Etobicoke West):** You guys should sell aluminum siding.

**Mr Turnbull:** First of all, this is very fine print, and as my colleague the member for Etobicoke West says, perhaps the government should be selling aluminum siding, merely because even the footnotes to the budget are incorrect because, when you read more carefully, it's actually \$805 million, not \$0.8 billion. I guess to people who spend as wildly as this government, \$5 million probably doesn't make that much difference.

These are people who gave \$50,000 to create a new union song when they came into office. This is the government in fact that spent \$20,000, 20,000 of the taxpayers' dollars, on sending union members away for a week's course on humour. Can you imagine that, Madam Speaker? I mean, it's hard to believe that this is indeed—

*Interjections.*

**The Acting Speaker:** Order. Members will have a chance to comment. The member for York Mills has the floor.

**Mr Turnbull:** —the government that is saying, "Oh, we're not trying to hide anything." Just quite accidentally we get \$5 million falling off, even from the small print. Even the small print isn't accurate.

When you consider the worsening shape of our financial affairs in Ontario, it's very apparent that the government's intention is to try and cook the books. As I've said on more than one occasion in this House, if anybody were to try this on an orange box on a corner of the street, they'd have to have a lookout making sure that the police weren't coming down the street.

Let's examine some of the implications of this bill.

**The Acting Speaker:** To the member for York Mills, I would caution the member in the language that he uses. Just proceed.

**Mr Turnbull:** Madam Speaker, I would suggest that I have said absolutely nothing which is unparliamentary. I would ask the Speaker what in fact she is suggesting I have said which is in any way unparliamentary.

**The Acting Speaker:** Would the member take his seat. I have not said that anything is unparliamentary. I am asking you to use caution in the language that you are using. To the member, would you please take your seat.

**Mr George Mammoliti (Yorkview):** On a point of order, Madam Speaker: The language is "cooked books." That's unparliamentary. I believe that there has been a ruling in the past in the Legislature that said that "cooked books" is unparliamentary.

**The Acting Speaker:** That is not a point of order. Would the member proceed.

**Mr Turnbull:** I want to explain why I believe the books are being cooked. I will turn to the fact that the Provincial Auditor this year, for the first time in history, refused to sign the books of the province. This has never happened before. This auditor was appointed under this government's term. He wasn't appointed by any previous government.

Let's just talk about what the auditor has said with respect to this very bill. I am quoting from the standing committee on general government, which met on August 17 and was considering this bill. The Provincial Auditor said at that time:

"My office was not invited to advise on this legislation and we followed the process of drafting Bill 17 through snippets of information which ministry staff were willing to share with us. We are grateful for that. Through that occasional glimpse, we saw accountability clauses appearing and disappearing in the draft legislation without being able to provide input or without finding out why these clauses were disappearing. This kind of spectatorship became somewhat uncomfortable when memoranda of understanding were offered as the main accountability mechanism to govern these corporations without finding the necessary support in the legislation for those memoranda of understanding."

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I further quote:

"I'm mindful that the ministry staff have expressed similar concerns about the need for embedding accountability in legislation rather than using only memoranda of understanding."

Further on, the same auditor goes on to say, quoting:

"A legislative mechanism is needed, establishing the requirements to submit annual corporate operating and capital budgets, an annual corporate plan and payment of surpluses, if any, to the government."

Further, "The accountability rules should be strengthened to provide a financial position statement which combines the consolidated revenue funds and these corporations."

I just want to refer back to my opening statements, in which I pointed out that the \$0.8 billion they account for in the fine print is way at the bottom of the page rather than being consolidated.

"A second and most important feature is that there should be a provision that loans are only set up as assets if they are repaid from revenues and not from future grants, because if it is in the grant route, it is just sticking money from one pocket into the other, and that does not represent an asset of government."

That goes to the heart of the concern that my party has with this bill.

Turning to the realty corporation, the government has taken the most unusual step of selling the assets. Last year, in the 1992-93 year, they sold \$440 million of crown land to this corporation, the Ontario Realty Corp. What they did was they borrowed money from the Minister of Finance and the treasury and then paid that money back to the treasury as payment for the lands.

So in that same year the Treasurer was able to report \$440 million of revenue and was also able to report a debt which was incurred by that corporation. In fact, the land had never gone anywhere. It still belonged to the province, which reminded us, of course, of the famous transaction with the domed stadium, where the government keeps on wanting to report the sale of that asset and it has never been sold.

Let me suggest that if a corporation were to sell an asset to one of its subsidiaries in a similar type of transaction, the normal route would be not to borrow the money from the parent company but to take back a note. They would transfer those assets to the subsidiary and take back a note until such time as the subsidiary presumably had disposed of them.

But this very unusual route that the government decided to go is very suspicious. It's very suspicious to the financial community, and the auditor has commented on his displeasure with what the government has done.

Casting my mind back a few years ago to Grandma Lee's, Grandma Lee's, during the 1980s, was reporting revenue that it was getting from selling franchises as regular revenue. I can tell you that there were some concerns that the Ontario Securities Commission had with that practice. Also, when Cineplex was selling theatres and reporting the revenues that it got from selling theatres as regular revenue, the securities commission had great troubles with that and suggested that that practice was very aggressive.

There is the point that I'm making. The government will have you believe that the creation of these corporations is purely to facilitate the creation of jobs. If that were all it was doing, you would probably find that there would be support from this side of the House, but we don't believe that. There is no reason why these corporations need to be set up.

There can be a very clear argument made that many private companies that might decide to do business with the government as a joint venture partner, as for example with the road corporations, would in fact find more comfort in being a joint venture partner with the govern-



ment directly rather than a crown corporation.

But the government didn't go that route. They've set up these crown corporations and they have tried, very clearly, in the books to take this number off-book. In every statement that we heard in this House by the Minister of Finance, both in the House at the time that he read the budget and then in his press releases afterwards and all of his press interviews, he suggested that the deficit was \$9.2 billion.

We said at the time it was not that; it was at least \$805 million over, and in addition to that, the government went a further step this year by getting school boards and universities to borrow money for their capital needs.

In previous years, governments have given grants to those same school boards. But the government has recognized that the school boards probably have more borrowing capacity than does the government, and so it has taken the unusual step of saying, "Okay, you go out and borrow the money, and we will give you the money for principal and interest to pay that loan." That amounts to some \$600 million this year, and that \$600 million must most surely be added to the \$805 million that was otherwise taken off-book and added to the \$9.2 billion.

In other words, we've got to add at least \$1.4 billion to the stated deficit this year, which takes it to well over \$10 billion, and then in addition to that, we know this government is likely to have somewhat in the region of \$1 billion of overrun this year in its expenditures.

We have said over and over again that this government doesn't have a revenue problem because last year it had the second-highest revenues in provincial history.

**Mr Sutherland:** Revenue has gone down three years in a row.

**Mr Turnbull:** My colleague the member for Oxford obviously hasn't read the numbers, but if you go back and you check, last year was the second-highest year of provincial revenues in history. The only year it was exceeded by was the year 1989-90.

The concern we've expressed has been expressed very widely in the public sector. The presentations we have had to committee on this very issue have addressed this specific concern.

Let me move on to the transportation capital corporation. I said before that the stated goal is to be able to expedite the construction of Highway 407, because indeed the 407 is the first project this transportation capital corporation intends to undertake. There can be no doubt that it is a matter of great urgency that we build the 407. We're not suggesting this is the wrong route. Yes indeed, a partnership with the private sector is appropriate, and I have no problem with that proposition. I'm just saying we don't need to create a schedule 4 crown corporation in order to do that.

I've checked very extensively, and those people who are considering going into consortiums with the government on 407 have unequivocally told me that it doesn't need a crown corporation to do that.

In creating schedule 4 crown corporations, we are creating a new animal, an animal which the government would suggest will be more accountable than the schedule

3 crown corporations. We've seen no indication of this. If indeed the government was convinced this would be a more accountable organization, why, in light of the very serious problems that exist at the Workers' Compensation Board and Ontario Hydro, have they not moved to reclassify those corporations as schedule 4 crown corporations?

We believe what the government is doing is moving staff off the government official payroll into these crown corporations, and that they will in the next election claim that they have reduced the civil service by—at the moment the projections are 3,000 people that will staff these crown corporations. These people will be all moved out of the civil service. They will retain all of the benefits that they have in the civil service and they will have all of the seniority.

1630

Why can we not get an assurance from the government that these people who are being moved off will be reported as employees of the government in the next election? I've asked this question more than once. To date, we have had no answer from the government whatsoever to assure us that these employees will still be shown as civil servants. You have the opportunity when you respond to say, "It ain't so," but we still haven't heard the government refute that.

What we are suggesting is that these 3,000 employees are in fact being moved off for very crass political reasons, because certainly they'll enjoy all of the benefits they have had so far.

Let's just talk a little bit about when the government tried to sell GO rolling stock. The GO rolling stock was to be sold for some \$350 million and it was to be leased back by GO. I can tell you that as a commercial real estate broker, I'm aware that usually a sale and leaseback is one of the last-gasp efforts of companies to try to survive.

When they tried to sell the GO rolling stock, they went to the federal government—and this is very interesting—and they said, "We would like to sell this rolling stock offshore." Under the normal scheme of things, a 15% withholding tax on the lease payments would have had to be remitted to the federal government. This government said it didn't want to have that 15% withholding. They wanted the payment to be remitted in full to the offshore owner, which would enhance the offshore owner's position.

If that is the case, what they are trying to do is use the tax loopholes—they call them loopholes—they are always talking about in other countries. I guess they would then become government welfare bums, because they want to use other tax regimes in order to bail them out. The federal government was supposed to come through with this waiving of the withholding tax, 15% of the net payment, which would be remitted to the federal government.

There can be no doubt about it: The federal government can't afford to be giving out those funds. Why would the provincial government be asking them to do this if it wasn't just to try to goose its own investment so

that it looks a little bit better? However, I have to say that after almost a year of trying, they still haven't managed to sell the GO assets, because people are very concerned about the credibility of this government.

The assets that have been built up over many years, predominantly by the successive Conservative governments and to some extent by the Liberal government, are now to be sold off and the revenues from those sales are to be shown in general revenue as revenue from that same year. The successive governments will inherit the debt.

Let's just talk about some of the other problems this government is creating. They have moved to change drivers' licences from three years to five years, and in some cases it works out to be six years. The next government will have a two-year window when it will receive virtually no income whatsoever. We believe the government is now looking at a scheme to change auto licence plates to be two years instead of one year. Conveniently, they will bring that in in the last year of their administration. So once again they will realize income that the next government will not have. The next government will have significant shortfalls just with car licences. I can tell you that it amounts to some \$80 million per year that the next government will not have for the first two years.

Let's look at the water and sewage corporation. The water and sewage corporation is very favoured by those organizations from the trade who would like to start rebuilding our very poor water and sewage infrastructure. We urgently need this problem to be addressed, and there could be no better time than the present, when there are a lot of construction workers out of work, to get the best prices in renewing them.

In order to make the water and sewage corporation work, we will have to move to what is known as full cost recovery. At the moment, many of the water and sewage companies show theoretically a profit on typically \$250 or \$300 per year for a single house, but that's based upon the fact that they're using very old infrastructure which has long been completely amortized. If we go to full cost recovery, inevitably we will face payments of a typical household of between \$500 and \$750 per year.

Those significant increases could be borne if the government would reduce taxes in other areas. Traditionally, they have given grants to the new infrastructure, but in this case they're going to full cost recovery. So the property taxpayer is once again negatively impacted by this government.

Let's not put the blame on just this government. All governments in Canada at virtually every level are spending too much money and finding innovative ways—that's the latest catch term—of financing infrastructure. The fact is, they have been wasting money, dribbling it away in all kinds of ways instead of reinvesting. If we can get the government to reinvest, our party applauds it, but we don't want this to be some insidious plan to hide the debt. There can be no doubt that the bond-rating agencies see through this ruse because they've already commented in some detail on their concerns, but the poor, innocent taxpayer doesn't know what this government is doing. Certainly, they were told at the beginning

of this year that the deficit was \$9.2 billion. It was never \$9.2 billion.

We have some opportunities in this bill to begin to move towards having more rational accounting methods applied to these corporations. These corporations undoubtedly will come to pass simply because the government has the votes in the House. They have a majority. They will pass this bill. But I would ask them to contemplate this: Does it not seem like an appropriate time to move to new standards of accounting practices, as the accountants have suggested? We should update the way that all governments account for all of their activities, preferably with accrual accounting.

The auditor has said he's concerned that he was only getting small amounts of information dripped out to him through leaks to his staff. Why is it that this government cannot be consulting with the auditor from the very beginning, if in fact this is not a scheme to hide money? Why is it that this government is creating a crown corporation to go into partnership on building roads when the roadbuilders have indicated there is no need to have that crown corporation? It will not speed up a partnership; it will just simply be another cog in this huge wheel.

I see once again my friend from Oxford is nodding his head. Go out and talk to these people. I urge you to. Have you? I would suspect you haven't gone out and spoken to these people. I would suspect that you haven't talked to the banks. I would suggest that you haven't talked to the business people who are negatively impacted by the massive buildup in debt that your government is engaging in. We now have a debt in this province, on the government's official books, of over \$72 billion. The government has doubled the debt in just three years. This has got to be an Olympic record. We are now supposed to be the third-largest borrower on international money markets in the world.

1640

Let me just read this in. This is from a Globe and Mail article by Peter Cook:

"From the latest issue of *Euromoney*, we learn a lot about where Canadian governance stands relative to that of other lands. The magazine has a list of what it calls 'the world's best credits' of the past year, which is financespeak for the guys that are mortgaging the future fastest.

"Among the great borrowers of the world, the province of Ontario is in fourth place overall. Ahead of it are the European Investment Bank, the Kingdom of Sweden and the World Bank. Behind it, the governments of Finland, Britain and Italy. In fiscal 1992-93, Ontario went to global bond markets for \$8.6 billion."

As we stand here debating this very issue, the debt clock is running overtime. It's a debt that none of the members in this House are going to pay for. Your children, my children and maybe their children are going to have to pay for it. Have no doubts about it, the implications for Ontario in terms of being an attractive place to invest or to grow your business are diminished by this kind of activity.



I know the automatic reaction by the government is to say "You're wrong," but listen to what the auditor says, listen to what the international monetary markets are saying, listen to what the newspapers are saying. We know you don't agree with us. We are the opposition. Listen to what the authorities in—

**Mr Gordon Mills (Durham East):** What is that, the Sun?

**Mr Turnbull:** No, it isn't the Sun. This is the Globe and Mail.

If you don't like it, go out and speak, as I have, to international bankers. They are most alarmed by what this government is doing. They see through what you're doing, but they're concerned that you're going to leave this marvellous province in tatters, and that is my concern.

**The Deputy Speaker (Mr Gilles E. Morin):** Any questions or comments?

**Mr Sutherland:** Let me just say the member for York Mills's party has talked a lot over the years about making government more effective, making it more innovative, doing some things on a cost-recovery basis; then when we start doing some innovative things, they don't like it and they criticize it and say it's the wrong approach. They can't have it both ways.

The member for York Mills raised concerns about accountability in general and about accountability for schedule 4 agencies. First of all, let me say that the Minister of Finance has already indicated that we're willing to go to an accrual basis, as the Institute of Chartered Accountants and as the auditor have suggested, for keeping the books.

With respect to schedule 4 agencies, there is a far larger degree of accountability there. First of all, there are minister's directives, and right in the legislation, chief executive officers of the corporations must follow those directives and must implement those directives.

The other forms of accountability: He talked about concerns the auditor raised about memorandums of understanding. There is currently a process in place between the auditor and a deputy minister's committee, I believe the Secretary of Management Board. They are working on a process of setting up a legislative accountability framework as was recommended by the public accounts committee; they are working on that framework. When that framework is in place, that will apply to these crown corporations as well, as will all the other Management Board directives and provincial government directives on accountability. There is extensive accountability for the actions of these corporations.

Let me talk about the number of civil servants. All civil servants transferred to schedule 4 agencies will still be considered civil servants under the Public Service Act.

Finally, as I've said earlier, the joint—

**The Deputy Speaker:** Thank you. Your time has expired.

**Mr Bradley:** I appreciate hearing the member draw to the attention of the House some of the deficiencies that exist in this bill and particularly the purpose of it. I want

to commend, as I did the last speaker, the initiative the member has taken in pointing that out.

I'm sure if I were to go back and look at the Hansards, I could quote from questions which were directed to the previous government on the issue of the water corporation, for instance. I could probably find, if I were to go through the clippings, many of the environmental groups which at that time had a very great concern about the establishment of a water corporation, and others who could see a developer behind everything that existed.

Yet here we have a government which has turned itself over to the developers, apparently, because they are very much in favour of this particular bill. I'm surprised to see that, although I know that the NDP does accept donations now from the corporate sector, which they didn't before. I'm quite surprised by that, but nothing should surprise me any more.

I think the speaker has appropriately pointed out in his remarks to the House the dangers that are inherent in this. Certainly I hope to have the opportunity in a few minutes to outline very briefly my concerns about this bill, because I believe we are moving in a direction which points to less accountability. I think the member expressed his concerns about that lack of accountability we have in this House. More and more, we are moving outside of the House with various agencies. We have the training agency that's out there that has a lot of good ideas and in principle sounds very good, but it takes the jurisdiction outside of this House and it diminishes the role of each member who is elected. We're the only people who are directly accountable to the people, because at election time we must answer to those people. I'm glad the member raised many of those issues and I'm sure he will in his response.

**Mr Stockwell:** I respond firstly to the member for York Mills, and of course Oxford, who responded to him. I think he's confusing a couple of things. He's confusing two words, "accountability" and "credibility." I think the member for Oxford does a rather good job of it, but he mounds the accountability angle. Much like your predecessor, much like your government, you mound the accountability angle.

The difficulty you're faced with is that there's a credibility gap. You said a lot of things when you were in opposition that were important to you and needed to be done, and of course they haven't been done. You had a lot of concerns you wanted to address when you came to government, issues that were fundamental to your beliefs that haven't been dealt with; in fact, dealt with exactly opposite from what your fundamental belief was when coming into power. I don't know how you can shake your head. I think of Sunday shopping, public auto insurance, casino gambling; the list is literally endless.

When you stand before this Legislature and the people of Ontario and say, "There's accountability; we will build it into the legislation," as the member for York Mills was saying, the fact is that the people out there simply don't believe you any more, because the auditor says what he does, because you've understated every deficit since you came to power, because you've understated your revenue since you came to power. Don't go to the racetrack, for

heaven's sakes; you'll be broke when you leave. You can't guess anything, let alone come in with a reasonable estimate.

Don't confuse the two. There is accountability, but there's also credibility. With credibility goes a track record, and your track record is rather spotty when it comes to principled issues, when it comes to financial issues and now when it comes to giving your word and living by it.

I only make one more point: If you want to know who really thinks you have a credibility problem, talk to your transfer partners, because you've told them a whole bunch of things since you came to power and not many have come true.

**The Deputy Speaker:** Thank you. Your time has expired.

**Mr Mammoliti:** The previous member talks about credibility. This particular bill has everything to do with credibility, and perhaps I've got to remind the member for Don Mills what happened in committee.

**Mr Stockwell:** York Mills.

**Mr Mammoliti:** York Mills, my apologies. In committee, to my recollection, and I could be wrong, there wasn't one person who was opposed to this, and the questions that arose in committee time and time again were of course about credibility.

What do people want? People want to work. The people in Ontario want to work, and I would think the member would have learned his lesson from the federal election. The reason your party has collapsed is because you couldn't provide them with that credibility your colleague is talking about. The federal party collapsed because it could not offer people jobs. They could not do it. This bill does, and consistently in committee people were telling us that this will provide those short-term jobs people need, and long-term.

1650

Let me talk to you about one of the questions I posed—and you talk about cooking books. One of the questions I posed was—and it couldn't be further from the truth, by the way—"If we are cooking the books, if the government is doing it, but yet you've already said that we're providing jobs, would you mind?" Most of the people said, "No, as long as my people work, I'm happy."

Listen to what the people are saying. They want to work. They're happy with the bill. They know it's going to provide them with short-term and long-term jobs. You Conservatives are predictable. We know exactly what you're going to say in this place.

**The Deputy Speaker:** Your time has expired. The member for York Mills, you have two minutes to reply.

**Mr Turnbull:** There was such a wealth of comments that I would like to respond to them all, but I won't be able to. I will start out by talking to the member for Oxford. He talks about accountability. If you really believe in accountability, why isn't it in the legislation? Why do we get these comments by the auditor that he is concerned? He had this peekaboo process, where all of the methods which he was offered were appearing and

disappearing, and he talks about the memorandum of understanding not being a satisfactory method. There's an opportunity for you to start true accountability. If you believe in it, do something.

I noticed, and I was particularly paying attention to the fact that you, who were here for the whole of my debate and heckled through a good deal of the debate, did not refute on one occasion the fact that you are going to claim in the next election that you reduced the debt and that you took those people off the books.

**Mr Sutherland:** I answered your question.

**Mr Turnbull:** You did not, sir.

**Mr Sutherland:** I did.

**Mr Turnbull:** It's hilarious when the member for Yorkview talks about the federal election. I would have thought you should have learned one lesson in the federal election, and that is, arrogant governments get kicked out.

**Mr Mammoliti:** Don't sit and preach to me, my friend.

**Mr Turnbull:** Quite frankly, just tell me, sir, one riding in this province of Ontario where the federal Tories came behind the federal NDP. That is why our demand for the resignation of Mr Rae, because an awful lot of your own federal brethren are saying that he was responsible for the collapse of your party.

*Interjections.*

**The Deputy Speaker:** Order.

**Mr Turnbull:** I suppose in your debate you would suggest that the ends justify the means. I don't believe that. I believe we should have full accountability, and that is what the taxpayers expect, no more, no less. We don't believe you're offering this. You're trying to cook the books.

**The Deputy Speaker:** Your time has expired. Any further debate.

**Mr Bradley:** I'm looking forward to the opportunity to comment on this legislation. The member for Oxford is exercised by the fact that I would participate in this debate, because he's hopeful that the legislation will speed through this House.

But I do want to recall for members' memory in this House that in fact there was opposition to this particular agency from two very important people, and I'll be able to quote them in just a moment.

*Interjections.*

**The Deputy Speaker:** Order. The member for Yorkview, the member for Etobicoke West, I would ask you to refrain from heckling. The member for Grey also. The member for St Catharines, you have the floor.

**Mr Bradley:** One of the points that I have tried to make to all members of the House, I think particularly to members of the government back bench and perhaps to some of the newer members of the Legislature, is this trend towards the diminishing of the power of elected representatives.

What this legislation means, as so many pieces of legislation mean, is that those who are directly accountable to the people, those who must go to the people in an



election campaign to put their job on the line, those who get to talk to people at the local level in terms of their constituents, are people who are having their role diminished. Most of the power is being concentrated into the Premier's office. We know that most of the legislation that comes forward, most of the regulations, most of the policies originate with the non-elected people in the Premier's office and the Premier's advisers.

The member for Welland-Thorold has documented this on many occasions. I recall seeing him on a cable television show with the member for St Catharines-Brock where he certainly was quite vociferous in indicating to the viewers of that program that he felt a concern about too much power being concentrated in non-elected people in the Premier's office. He suggested that perhaps there was too much thinking from downtown Toronto and not enough thinking from the hinterlands of Ontario. Whether that's true or not I don't know, because I'm not part of the government, but I know that the member for Welland-Thorold is widely respected in his own constituency and there were a lot of people there who happened to believe that.

But I look at various things that are happening with this government and see a trend towards the diminishing of the power of elected representatives. I don't think that's good for the democratic system. I could rail on against this for other reasons, but I think it's important that we as elected legislators insist that we are going to have some input into legislation, into the ongoing operation of government.

*Interjection.*

**Mr Bradley:** The member for Guelph is interjecting on the other side and thinks I'm trying to be partisan about this when in fact I think this is something that affects all of us. When I was on the government side I opposed this particular legislation. There were some proponents of that legislation on the government side, including the Treasurer of the day who thought that a water agency would be fine. But I had a couple of responses that came from the opposition. When the opposition was thinking about this, there were some statements that were made.

**Mr Stockwell:** Who made them?

**Mr Bradley:** Perhaps the member for Etobicoke West will be able to determine that when he hears what is said.

**Mr Stockwell:** Let me guess. Don't say who it is. I'll guess.

**Mr Bradley:** The member is guessing. First of all, I'll read this. A member rose in the House on May 1, 1990, May Day, which used to be important to the NDP but now is a day of shame because it is busy breaking strikes and bringing in legislation which will abrogate contracts, much to the chagrin of my good friend Bob White, who is also a good friend of the member for Guelph.

Anyway, this person said this, and I think this is relevant. You were a member of the House, Mr Speaker, at this time. You may recall this person saying this.

"I would like to respond to the statement today by the Minister of Municipal Affairs about our new public utility to create a clean water and sewer system.

"I thought that it was the mandate of this government to provide a secure supply of clean water. I did not think we needed a new crown corporation to do that. I thought we had the municipal-industrial strategy for abatement, supposed to be in place in 1989, that was going to clean up the discharges from our sewer systems. Do not forget, Mr Speaker, that in the 1987 election campaign we had the Liberals' election plank of the LifeLines program, which was going to rehabilitate the infrastructure, the sewage systems and the drinking water plants. Why is that not good enough today? Why do we need a new crown corporation?

"What we need is more capital to replace our infrastructure. With that, I would agree. But I still do not see why a utility is required to put that in place. The statement talks about the Minister of Municipal Affairs, who is responsible for local government finance and community planning. The Ministry of Municipal Affairs is not responsible for protecting the environment, and that is our primary concern about this shift in responsibility.

"There is silence in the statement with respect to the legislation to implement this policy. We assume we are going to see legislation. What is it going to contain? We are certainly going to want to have extensive public hearings, so that we can get public comment on this shift in responsibility that the government is taking.

"I think the critical phrase in this announcement occurs in the middle of the second page where it says that the utility will build and operate facilities in cooperation with municipalities and the private sector. That is what this is all about. That is what this represents.

"It represents that the development industry is now going to be setting the priorities, driving the agenda and determining where the money is to be spent. That is not good enough. It does not reflect the commitment to the environment that we thought this government had. It does not reflect the announcements we keep hearing from the Minister of the Environment, who is not even here to be part of this announcement.

"Where is he? Has he gone underground now that Project X has surfaced again? The Minister of the Environment has gone underground. That is a true statement of where this government is at."

1700

Now, members may wonder who said that in the House, because the government is now proposing such legislation. Well, I will tell you. It is the member for Etobicoke-Lakeshore, the former Minister of the Environment, Mrs Grier, whom I've had a great deal of respect for over the years. I always thought she would be opposed to this kind of legislation, opposed to the establishment of the crown corporation. But I see that obviously her mind has changed or she was unable to persuade members of the cabinet that in fact we should not have such a corporation.

There is mention made of Project X in here, yet I heard the former Minister of Municipal Affairs, Mr Cooke from Riverside in Windsor, rise in the House and announce the implementation of Project X, something his Minister of the Environment, with the assistance of some

people outside of government, was able to block the previous government from moving on. But the Minister of Municipal Affairs of the day, Mr Cooke, simply steamrolled over the Minister of the Environment, with the assistance of cabinet colleagues, and Project X was implemented. There were rounds of applause from the development industry as this government capitulated to that.

**Mr Stockwell:** That may have been a different member from Etobicoke.

**Mr Bradley:** No, it was the member for Etobicoke-Lakeshore, Mrs Grier.

I just want to say again, because I think this is an important line, "It represents that the development industry is now going to be setting the priorities, driving the agenda and determining where the money is to be spent. That's what happens," she said, "when you have a crown corporation."

But there was another person who had a statement on this. On June 20, 1990, a person who has had to change his mind on so many occasions, in fact a person whose pronouncements sound like they would come from a Progressive Conservative government on occasion, states as follows—

**Mr Stockwell:** John Tory.

**Mr Bradley:** No, I don't think John Tory would be the person, because John Tory has egg all over his face for those particular commercials that he authorized, making fun of the now Prime Minister, so it can't be John Tory. But it says here the following:

"Since Mr MacLaren is here I simply want to wish him well in his new responsibilities." This was the person who was to be head of this water corporation that the NDP opposed. "There may be one or two in the House who are disappointed by the announcement, but I would think that number would be very small. I think the number of those who are supportive of the announcement will be much, much greater.

"I say to Mr MacLaren that we on this side of the House have been critical of the establishment of the agency, rather than keeping it under the responsibility of the Ministry of the Environment."

He goes on to say that "he will simply say that this is now the responsibility of the agency and there is nothing he can do about it."

How did that arise? It arose as follows:

"The minister concluded his statement by saying that he wanted to continue to assure the people of the province that they would have clean water. I would say to the minister that he knows perfectly well the political consequences of what the government has done. That is, if there is any problem with respect to the provision of clean water to the citizens of the province, every time we ask a question of the minister, he will say that it is now the responsibility of the agency and there is nothing he can do about it."

You may wonder who had to say that. It was none other than the person who now occupies the Premier's chair in this House, Mr Bob Rae, the member for York

South. That is the person who had that to say about this agency.

Yet we see this government today, a government that is desperate to get the debt off the books and to have any further debt accumulated in corporations the way W.A.C. Bennett—Wacky Bennett, as they used to call him—in Social Credit used to do. Wacky Bennett, father of Bill Bennett, a fairly recent Social Credit Premier of British Columbia, used to say to the people of British Columbia: "We don't have a debt. We don't have a deficit in this province." But what had happened was that he had assigned it to various crown agencies, and so of course there was no debt.

If I thought there was some merit in this, if I thought the intention of the government was genuinely to improve things in this province by the implementation of this legislation, I would say, whether I agreed with it or not, that at least the proper intention was there. But I know what the intention is. I know because I look at what the position of this government was in the past. I'm sure there are members of the present government who would like to see Hansard destroyed after one or two years, and that's because we wouldn't be able to quote from it now.

There are many other quotes, and I must say there were some allies in this. The CBC, I remember, called about it. Radio Noon was interested. Metro Morning—or, as we used to call it, NDP Noon and NDP Morning—called about it. They asked questions and said: What are you doing? Are you turning this over to the development industry? What are you doing establishing a clean water agency?

But I do not recall any calls coming into the opposition now or to the government about the establishment of this agency from either Radio Noon or Metro Morning or As It Happens, any of the CBC programs. I know they're probably interested. Maybe they didn't know the bill was before the House, because if they did, I'm sure they would be asking the same tough questions of an NDP government that they did of previous governments that have sat in this Legislature. I know they're very neutral. I know that none other than Rodney Palmer, who is the producer of Radio Noon, will be calling tomorrow to the Premier and to Mrs Grier to ask why they have changed their position on this particular piece of legislation.

There were those in the environmental groups who I'm sure were environmentalists first and socialists second. I'm sure that is the case. They probably had a press conference called to denounce this and were out in the scrum outside, the gathering where the reporters are outside, to pronounce against the establishment of a clean water agency.

Now we find out that those people seem to be silent, and I wonder what has happened with those people, because I know they're environmentalists first. I know they're not just New Democrats out there explaining and apologizing for NDP legislation which is similar to legislation introduced by the previous government.

I know that there are other agencies out there; there's a training agency, for instance.

To go back to my initial concern, my concern is that



all of you, by acquiescing to this legislation, by not fighting it in caucus, by not calling the Premier to account as Mel Swart wants to call him to account today—I would guess, although I can't say for sure, Mel would be alarmed by this legislation, because Mel was very concerned about the potential for such an agency being used for development purposes as opposed to environmental purposes.

I was very pleased to see my former colleague from Welland-Thorold calling a press conference to discuss matters of mutual interest to many in the caucus who are very quiet today about this. But I understand that; I'm not being critical of that. I know he would be concerned about such legislation.

There wasn't a major announcement outside this House, as we had in the Niagara region yesterday, where we had a gathering of none other than three ministers to reannounce a program that the Liberals had already introduced in 1989 and put forward to continue. I notice the St Catharines Standard even today said it must be really tough times when you've got three ministers and a guest list of 60—which, by the way, did not include the member for St Catharines—at Queen's Landing, that posh hotel the NDP had their caucus at. But I notice there was no announcement similar to that.

I must say, if I may divert a bit, that what you will find out on the government side is that it's extremely unwise to exclude members of the opposition from something like this. First of all, it's bad manners, and second of all, it doesn't pay off politically in the long run. I remember the Tories used to do that, and my friends in the New Democratic Party whom I sat with and I used to be critical of this.

In fact, I well recall, speaking of government operations, which this bill implies: When they were constructing the courthouse in St Catharines and they had the final opening, guess who was not invited on to the platform? The member for St Catharines. At the instigation of a local Tory lawyer, I had to scale the wall; I had to elbow aside the security agents and announce at the platform that as the local member, of course I had something to say about this.

I thought that would never happen again, but it did happen as this major announcement was made in the Niagara Peninsula. I don't know if the present member for Welland-Thorold was invited or not, but certainly I'm told that in the remarks that were made, he was given no credit for this program. So the member for Welland-Thorold and I have been excluded from this as members from the Niagara region.

I'm sure that was simply an oversight, but I want to tell you what a mistake you make when you do that as a government, and the present Treasurer, who is a very close friend of mine, will tell you what a mistake you make when you do those things. It doesn't pay off politically to do it, first of all, if you can't understand that there's courtesy. However, I just brought this into the discussion with this bill because I was wondering why there wasn't such an announcement made in this particular case.

My friend the member for Scarborough-Agincourt, in

previous discussions of bills before this House, has in fact stated his concern about an agency which was set up for training. It has some enviable goals; it sounds very good. But as I spoke on that bill, I said what it does is it takes it out of the control of this Legislature. So whether you're in government or opposition shouldn't really matter; what you want to ensure is that you, as individual members, are making certain you are carefully scrutinizing these agencies, boards and commissions. As soon as you make them arm's length, you have much less control over them either as individual members of a caucus or as members of a committee because you simply can't get at them the way you can with a government department. There's simply not the same degree of accountability.

1710

I want to see infrastructure renewal take place in this province. I think most members of this House believe that could be useful. I don't think we need these agencies to do it. That's a personal point of view that I've indicated on many occasions. If we want to build roads, if we want to build bridges, if we want to replace railway tracks, and I'm particularly concerned about sewage treatment plants and water treatment plants, if we want to spend the money on those things, we don't need such an agency to do it.

But they're good investments. I think the previous federal government—and I don't say this in a partisan sense; I say it as a political observer—missed the boat in not wanting to fund those particular projects, in the middle of a recession particularly, because the companies that are doing this work, the workers themselves who have to do the work, need the jobs at this time. When the economy is booming, when you're out of a recession, the private sector will have lots of work for those people to do. Also, when we want to attract new business to this province, it seems to me that it's nice to have, as we come out of the recession—and I hope we do—an infrastructure in place that's attractive to those who want to make investments in this province instead of somewhere else.

I express worry about this. Some of my colleagues may have less worry than I have about these agencies, but having served in this House for going on 17 years and having sat on many committees where we tried to get at agencies that are at arm's length, I found it's much more difficult to do that than it is when you have it under a government department.

As well, I think many of these decisions are political decisions. I don't mean partisan decisions in that you're going to do something for one person's constituency as opposed to another; I'm not talking about that. I'm talking about the fact that if a government in power believes, for instance, that water treatment plants and sewage treatment plants are exceedingly important and deserve to have the most funding, and if it knows this should be done based on environmental concerns rather than development concerns, if it's directly under the purview of a ministry, particularly the Ministry of Environment, it's much superior to keeping it at arm's length to achieve that.

There is a worry, a genuine concern that was expressed

by Mrs Grier and by Mr Rae, who are now on the government side, that there would be more concern about providing these infrastructure pieces for development purposes as opposed to environmental purposes.

I want to say to members, many of whom understand this, particularly from some of the rural areas but also the urban areas, that it's exceedingly important that the priorities go to those areas which need the upgrade in the water treatment plant or the sewage treatment plant based on environmental concerns. There are a lot of communities out there that would like to expand the plant or to build a plant so they can accommodate development, and that may well be one of the concerns of government and that is something that has to be done, but I think priority must go to providing improvements even in existing plants.

The member for Sault Ste Marie is here. I well recall that there was a problem with the Sault Ste Marie sewage treatment plant. The Sault has gone through extremely difficult times because of layoffs, because of restructuring, because of the general economy. Sault Ste Marie would have a difficult time, of its own volition and with the help of the government, to upgrade its sewage treatment plant to what I think sewage treatment plants in this province should be.

I don't think an agency such as this is the vehicle to do it. I think the member for Sault Ste Marie has much more influence on his cabinet colleagues the Minister of Environment and Energy and the Minister of Municipal Affairs than he has on an arm's-length agency.

I would be very supportive of the member for Sault Ste Marie making a bid to his colleagues in the House, getting up and asking a question in the House of his colleagues about the potential for funding flowing from the provincial government, and hopefully from the federal government, to upgrading a sewage treatment plant.

This agency, in my view, is not the vehicle to achieve that, but rather keeping it where it is now, under the purview of the government. I know other members who've had very great difficulties with water which is not as nice as they would like it to be when it is delivered to the home, but particularly the treatment of sewage. There aren't as many people lining up to fix up those plants as there are to expand plants or to create new plants to accommodate development.

I appeal to the members of the government. I don't know how much good it does these days because the cabinet certainly has the power and the Premier's office has all the power, but I think there's an important exercise for members of a government, and that exercise takes place on Tuesday mornings—I don't know when the NDP has its caucus meetings—from 9:30 or 10 o'clock through till the noon hour. That's where elected representatives, people who have to face people on a daily basis, get their chance to speak out, get their chance to bring to the attention of those who have the most powerful positions, those in the cabinet and some of the Premier's assistants who sit around and are supposed to be listening to what the members are saying.

Rather than polls and the government spending a lot of money on polls again, even though the Premier said he

was opposed to spending on polls, a better listening post for the Premier and the cabinet ministers in fact exists in members of the caucus. That's true of the three parties that are represented here, but I think it's particularly important for the government simply because the ministers and the Premier tend to get ministeritis, tend to spin a cocoon around themselves and say, "We will listen to what the experts say, we will listen to the civil service, we will listen to the political gurus who tell us what we should be doing, and those people in the caucus are just here to keep us in power." I hope that's not the case.

I think sometimes the caucus can have an influence when there's a caucus revolt taking place. Not the kind I see right now; I'm not advocating that they throw the Premier out; that's up to the NDP caucus to decide. I'm talking about on issues as opposed to whether you won the last election or did poorly in the federal election; that's not what I'm concerned about here. I think you have a chance to influence the various ministers, speaking to them directly and speaking in caucus. You don't have that if you start peeling these various parts of ministries off and giving them to crown corporations, where you'll set up a corporation, they'll have an expensive president, an expensive vice-president and a bureaucracy of their own and, I tell you, they will isolate themselves from members of this Legislature.

If there's any chance to reconsider, I hope you will implore the Premier and others who are in power to change their minds on this legislation. I have spoken particularly about the water corporation because I particularly opposed the water corporation when I was the Minister of the Environment.

As I said, I had colleagues in my cabinet and my government who disagreed with me on that occasion and there were many, many discussions that took place. I'm sure the same thing must have happened behind closed doors with this government, because there would be people over there who recalled that debate, who recalled what environmentalists had to say, who recalled the dangers that were pointed out when you establish corporations of this kind.

I would think that shouldn't be a legacy of—I'm surprised at an NDP government doing that. I could understand more so, philosophically, I guess, a Liberal or a Conservative government doing that. It's less understandable for an NDP government because I would have thought it would want to keep that control in the hands of those who are closest to the people.

1720

I see a tendency all over, not just here, to start diminishing the role of legislators. One only needs to go out to the reporters and others who are outside covering this Legislature to see what happens. They now cover what the minister has to say, because that person's views do count, that's important, and then other members simply don't count. Unless they're prepared to disturb the others within their own caucus, unless they're prepared to be independent, unless they're prepared to do something radical, the opposition and the government backbenchers become more and more irrelevant. In fact, the interest groups now tend to be interviewed.



**Mr Sutherland:** Oh, come on.

**Mr Bradley:** The member for Oxford should look at this carefully. Watch what happens when you go outside. The minister goes outside, the minister is interviewed and then the people who have an interest outside, such as the doctor who may be quarrelling with the Minister of Health or the environmentalist quarrelling with the Minister of the Environment and Energy, now stand in the periphery of the scrum, of the group of reporters out there.

After the minister has finished, they then interview that person. They don't interview other members of the Legislature that often. They don't interview members of the opposition that often. More and more, that's because we have less input. There is more control now in the hands of outside people than there is in the hands of those who sit in the Legislature.

The members who are not members of the cabinet, every time you allow the cabinet to parcel off more and more of what should be the direct responsibility of government you diminish your own role as an elected legislator. I think it's time we stopped this. I think part of the appeal in fact of the Reform Party, which received a lot of votes, whether people like it or not, in this province as well as some other provinces, one of the things that appealed—and some people didn't like everything about the Reform Party—was the access, the apparent access that one would have to the system, to their members, the accountability of members.

I'm not saying that I agree with what they were proposing in terms of accountability.

*Interjection.*

**Mr Bradley:** What I am saying is that the message is out there. If the member for Middlesex doesn't understand that, then she's not a very keen observer of the political system in this country. If you do not understand that, member for Middlesex, then you do not understand what that message was.

I think it's a message that has to be listened to. I don't think the proposals for solving that problem were ones that I would necessarily agree with, but I think it is a message out there nevertheless. If we simply spin that cocoon around ourselves here in this legislative body, in what we call Queen's Park, then we will all pay the price again: another group coming in that may have views which are alien for the most part to the province and policies which are contrary to what most people believe in. We may have that kind of group move into power simply based on the fact that it says it is going to be more accountable.

They will use as examples the parcelling off of government departments and the turning over of the power of the legislator, of the parliamentarian to outside agencies which are not directly accountable to the people.

I hadn't necessarily planned to speak on the entire bill, and the Premier has ensured, through his rule changes that were implemented by the member for Windsor-Riverside—I'm sure not of his own volition but at the orders of the Premier, because I know that having been a legislator in this House as long as he has and one who

knew the importance of the individual member, he could not have been part of that particular operation.

That has limited my ability to speak on this legislation to only 30 minutes, but I hope I have been able to share with members of the House some points that were worthy of their consideration and that may have some effect on the final outcome of this legislation.

**The Deputy Speaker:** Questions or comments?

**Mrs Irene Mathyssen (Middlesex):** I am surprised that a former Minister of the Environment doesn't understand the purpose of the Ontario Clean Water Agency and how it differs significantly from what was proposed by the former Liberal government of which he was a member.

Firstly, the reality is that Ontario needs significant infrastructure to deliver clean water and protect the environment with sewage treatment plants. Traditionally, we would fund that at a cost basis as projects came along and as the province was able to pay for it. Interestingly enough, at this point in time there are over 600 applications to the Ontario Clean Water Agency. Surely that demonstrates a need that we couldn't possibly finance if we were to do it in the traditional way.

Secondly, the Ontario Clean Water Agency will allocate funding according to some very specific criteria, and I would like to read from this booklet available to everyone, including the former Minister of the Environment, so that people will understand the priorities:

"Any project must address one or more of the following provincial policy priorities: (1) It must reduce and eliminate health or environmental risks; (2) promote new economic opportunities and sustain existing economic development; (3)"—and this is very important—"support development consistent with the provincial growth and settlement policy guidelines and municipal official plans."

That means that it is not going to be a tool of developers as it was under the Liberal plan. It will be supervised by the Minister of Energy and Environment and, as the member for Oxford indicated, OCWA will be an agency that must follow the directives of the minister. The purpose is to make this an environmental instrument, not an instrument of developers.

Finally, Mr Speaker, I would like to thank—

**The Deputy Speaker:** Thank you. Your time has expired.

**Mr Eddy:** I wanted to speak very briefly on this matter and I appreciate the member for St Catharines bringing out the most important effect, the scariest and most worrisome part of Bill 17, and that's the diminishing role and rights of the Legislature, the elected members in this House, because that is scary and it is worrisome and it is what will happen.

The member for Middlesex has just stated that the required water infrastructure in this province could not be financed in the normal way. That may be true, but of course the government can use innovative ways at any time and in any way it wishes and if legislation is necessary can bring it in.

For over 40 years, the municipalities in this province

have fought for the dissolution of special-purpose bodies, and they have gained it somewhat. Planning boards, for instance, have been dissolved. I don't know why we're now taking an opposite route in crown agencies, and I think it's improper. It's wrong and it's improper and we're opposed to it.

A transportation agency is one thing. In the case of special-purpose bodies, can we go back to the London-Middlesex fiasco when the member for Riverside decided that the London PUC, an elected body, should be dissolved. It was an elected body. Why? Because the city council did not want a special-purpose body, and I don't disagree with that and maybe others should be. Here we are, we're doing exactly opposite.

I'm opposed to it because I think it's diminishing, as stated by the member for St Catharines, the rights of the Legislature, the legislators, the elected members of this council, and who can agree with it? I cannot.

**Mr Stockwell:** There are not too many water lines and sewer lines that have been built, to my knowledge, that didn't necessarily include development. That's one of the reasons why they're built. You build these lines and they get developed. They develop around them. Much like roads, much like subways, much like all kinds of infrastructure that's built, when you build them people develop around them.

Anyone arguing that by building this we're not encouraging development is arguing contrarily to what the idea was in the first place. You're creating jobs, part of you say, and the other part of you is saying, "We're not creating jobs, we're dealing with environmental concerns, so we're going to build a bunch of sewers to no place and then not allow anyone to develop around them." It's absurd.

We've handled development applications for sewer projects, transportation projects, all projects over the last so many years, and we've handled them in-house within the bureaucracy setup and they've been handled rather well. Any of this legislation being brought forward today could easily be accommodated within the present bureaucracy.

So the member for Middlesex, standing in her place and making some inane argument that this isn't meant for development, runs counter to everything that this government is suggesting. This is a job creation plan. If you're not going to develop around these infrastructures, why would you build them in the first place, for heaven's sake?

1730

**Mr Perruzza:** It's indeed a pleasure to be able to respond in this very short time. What's really interesting is that in the middle of all of the political drivel that takes place in this place, there are at stake a whole lot of jobs for a whole lot of people who find themselves out of work, and have found themselves out of work for a long, long time.

Instead of moving on, and I see this as an initiative which says, "Let's get beyond the drivel and let's move on and do something that's meaningful," it's really quite interesting to hear Liberals and Conservatives, people

who traditionally are seen to have very good business sense and very good business links, talk about a bill or a decision which makes sound business sense in such a negative, negative way.

If we're able to in some creative way move on with construction of sewers, move on with the construction of roads and create jobs—create construction jobs, create spinoff jobs and, yes, I dare say to the member for Etobicoke West, create some other jobs which this kind of infrastructure spawns, like development—these are good things.

If we're able to move that and if we're able to do that in a creative and substantive way, that's a good thing. There's nothing that's being hidden here. It's just providing a vehicle for some creative solutions to some very real problems and for creating some very, very needed jobs.

**Mr Bradley:** Thank you for the opportunity to respond very briefly to the responses to the remarks. I don't think the members who have seen this as simply a job creation vehicle are correct in assuming that. I think those jobs can be created without this vehicle. I happen to think this vehicle to create jobs is quite dangerous, and that's why I oppose this legislation.

As I say, if we were to have a free vote in the House on this, I suppose there may be some members of the government side who would have one view and some members of the opposition side who would have one view. I'm sure that I would say my members of the caucus don't all agree 100% with what I had to say on this.

I simply have a very great concern about this, because I'm trying to put forward the case that Mrs Grier, the member for Etobicoke-Lakeshore, the former Minister of the Environment and now Minister of Health, was putting forward in the last Parliament. And I'm trying to put forward the position of the member for York South, the Premier of the province, Bob Rae, on this particular bill. I know they had genuine concerns. I assumed they weren't playing politics at that time. My assumption was that they had genuine philosophical concerns and practical concerns about this kind of legislation.

What I am sorry to see is that somebody has persuaded them, whether it's the unelected people who are advising them or whether it's somebody from outside the Legislature altogether, but somebody, that in fact they should embark upon legislation which I think in the long run will not be beneficial to this province.

Unfortunately, once legislation of this kind is imple-

That argument is rather inane. Contrarily, on the flip side, I thought what was rather enlightening was the member for St Catharines' comments with respect to the member for Etobicoke-Lakeshore, Ruth Grier, and the member for York South, Bob Rae, their debate with respect to a similar piece of legislation brought forward from the previous Liberal government. They opposed that legislation because they said it would fundamentally cut into the very agreements that they were cutting with respect to developers on infrastructures. So it is rather enlightening.



mented, once these crown corporations are set up, it's then very difficult to end those crown corporations, and once again, we have a diminishing of the role of all members of this Legislature.

**The Deputy Speaker:** Before we proceed to the debate, I'd just like to bring to your attention two points.

The first one is that when questions and comments are asked, questions and comments should be made to the remarks, to the arguments, to the points brought by the speaker. In this instance, it was the member for St Catharines who debated for 30 minutes, but I notice as you brought questions and comments that they were not related at all to what was being said.

My second point: There was a ruling made by the Speaker. Let me read what was said at that time:

"I want to inform all members of the focus and scope of third reading debate, as set out in Erskine May's Parliamentary Practice as follows: 'Debate on third reading...is more restricted than at the earlier stage, being limited to the contents of the bill.'

"In the recent past in this Legislature, Speakers have, while exercising some latitude, intervened when members have deviated beyond the traditional scope of third reading debate.

"My reminder"—I'm speaking on behalf of the Speaker—"to all members is that the principle of the bill has been agreed upon in this House and that third reading debate should be restricted to the contents of the bill. The cooperation of all members with respect to this reminder is appreciated, and I would expect members to follow this ruling."

Further debate?

**Mr Murray J. Elston (Bruce):** On a point of order, Mr Speaker—I'm sorry; I'm actually not at my seat here. Now I am. With respect to the third reading debate, though, I think it's clearly understood that people can extrapolate from what is seen as the content of the bill and lay out suggested results of that. It's not just going section by section through the bill. A person does have some leeway to contemplate what the impact will be and what the outfall will be, and I think in some ways that perhaps does lead some of us slightly astray, but I don't want to be so tightly restricted that we cannot proffer certain circumstances or events that we believe will be the outfall of the passage of the legislation. I just want to make sure that's acceptable as well.

**The Deputy Speaker:** I hope the member understands that I don't want to participate in a debate. What I'm saying is, I'm using latitude. I will be using latitude. But sometimes people do go astray, and you have to be brought back to the debate.

A point of order?

**Mr Stockwell:** Yes. I would just ask the Speaker, when he examines the ruling that was made at that time, if he could also find out if, when that ruling was made or that statement was made to the Legislature or wherever it was, second reading debate at that time was limited to 30 minutes. If it was limited to 30 minutes, I think it's a fair comment. If there was no limit to speaking on second reading, I think it must allow greater latitude in third

reading debate to the members who (a) weren't allowed to get on or (b) weren't allowed to get all their comments on during the second reading debate.

**The Deputy Speaker:** Very interesting argument, but I won't accept it. Further debate?

**Mr Bill Murdoch (Grey-Owen Sound):** Thank you, Mr Speaker. I was just about to maybe get up and ask you if we could extend the time, because I've been waiting to get on here and we may have to go beyond 6 o'clock tonight yet.

**Mr Bradley:** We'd all have to stand up.

**Mr Murdoch:** Yes, we may have to have unanimous consent.

Anyway, I am pleased to speak on Bill 17, An Act to provide for the Capital Investment Plan of the Government of Ontario and for certain other matters related to financial administration, because I think the people of this province should realize how badly this government is attempting to deceive them. Now, I know a lot of the things I'll say have been said before, but it has to be said again, because the people out there have to know what this government is doing to them.

This bill will create four new agencies, four new sets of bureaucracy: the Ontario Realty Corp, the Ontario Transportation Capital Corp, the sewer and water corporation and the Ontario Financing Authority. These are lovely names, but what do they mean?

The new crown agency called the Ontario Realty Corp is going to manage all of the government buildings. This is a wonderful idea except that we already have a bloated bureaucracy which is supposed to be doing this now. It's called the Ministry of Government Services. I wonder what they will do now.

The Ontario Transportation Capital Corp is badly needed, the government tells us, because it is going to build highways. It seems to me that we have a number of highways now in the province, all of which were built before the new agency was born. Somehow we managed to construct a decent system of transportation in this province, because the Minister of Transportation actually used to build roads. What will we do with that ministry now?

The sewage and water infrastructure project started many years ago in Ontario, but back then they were funded by the Ministry of the Environment.

The fourth agency, the Ontario Financing Authority, may be the most dangerous, because we know less about it than the others and because it involves big money. The idea of this government and big money is enough to scare anybody.

We do know that this agency is going to be a heavy borrower, lessening the Minister of Finance's load. It is somehow going to manage the province's finances and its debt, a debt which has doubled in the last three years and which is obviously going to get much bigger, except that we won't be able to see it clearly because it will be on the financing authority's books instead of the government's. This is the problem: We won't be able to get to the books, these books that they claim they cooked to create jobs. That's a good one, that one.

1740

Even though there is only one source of funding in Ontario and the taxpayer has already reached his limit—there's no doubt that the taxpayers have had enough taxes put on them and they can't afford more, with more bureaucracy and more cooked books, as they call them over there. This is going to be another agency like the WCB, racking up debt with no thought for tomorrow and who is going to deal with it eventually. That would be one of us over here or the Liberals.

The Ontario Financing Authority is supposed to be taking on the responsibility of borrowing for school boards, for hospitals and for colleges, taking away the authority from this Legislature. This is one of my most serious concerns: that the agencies will be removed from the control of the House and the public, who are footing the bill and who elected us to represent them, will have no say in the decisions which are made and will be able to get no answers.

From now on, ministries in these areas will absolve themselves of any blame for unpopular decisions. They will claim no knowledge or responsibility for reckless spending and high debt. They will generally be able to stonewall with impunity. I guess the Treasurer must have no faith in these ministries any more or in their thousands of employees, because now he is setting up these new agencies to do exactly what the taxpayers of this province elected this government to do.

But as everyone knows, this government is in deep financial trouble because it had the ridiculous idea of spending its way out of the recession. When it came to power it proudly went ahead and spent billions and billions more than it had.

**Hon David S. Cooke (Minister of Education and Training):** Is this third reading?

**Mr Murdoch:** Now, when it has finally awakened and realized it made a very serious mistake, the cabinet members began tripping over each other trying to think up ways to fool the auditor and make themselves look better in the eyes of the public.

**Hon Mr Cooke:** What's the use of saying there is a ruling if we're not going to implement it?

**Mr Murdoch:** That's what we're talking about, Mr Speaker, these four crown corporations. This is what this government is trying to set up. I hear the Minister of Education is worried about whether this is third reading. We'll inform you that it is third reading, in case you were lost in the debate. We'll let you know about that.

They decided to set up these brand-new corporations at a cost of \$8 million which can borrow money to their heart's content, because these will be arm's-length agencies and their debts and their spending will not appear on the government books. This is the worst thing of all. People have criticized this government for its debt, and now it will be able to go on a merry spending spree and say, "Well, it's somebody else doing it," just like they're having trouble with WCB. There'll be four more of these.

Now the lucky taxpayers will be able to fund not only the ministries of Environment and Energy, Transportation

and government services but they will also be able to fund these four new agencies, which are doing exactly what the ministries themselves should be doing, and ultimately be responsible for their debts as well.

The auditor has already made it clear that he does not approve of this government's method of creative accounting or cooking the books, and I can certainly see why. I am sure the Treasurer's new magic act of making the deficit decrease is not going to impress him very much either, especially as he and everyone else in the province will be able to find the rest of it pretty quickly on the books of these new corporations.

But the government is still hoping it can deceive the public. The NDP has built up a terrible reputation as money managers. They needed to do something quickly as they watched the deficit go through the ceiling, so they came up with the cute idea to pull the wool over everyone's eyes. That's what we're talking about, these four agencies; this is what they've come up with. They feel they can fool the public that their deficit isn't as big as they think it is, that they'll be able to hide it in these other agencies. Meanwhile, they won't be around to do their job; they'll be long gone.

The government members are trying to pretend that their only concern and the only reason for this legislation, and we're talking about the legislation, is the jobs it will create, but that's a lot of hogwash. As I pointed out before, we have highways, we have water and sewer projects and the provincial government has been in the realty business for years. None of this is new.

I might feel differently about Bill 17 if we could have an undertaking from the Minister of Finance that he will continue his magic act and that when these new corporations are established, the ministries of Environment and Energy and Transportation and government services will disappear. If this is what they intend to do, then maybe they should tell us this. If this is their whole scheme of operations, maybe we don't need ministries any more and we can get rid of them, but we know that's not what they want to do. They want to be able to run in the next election and say: "Hey, we got rid of a lot of bureaucrats. They're not here any more." This is why they're creating these new agencies, and this is what the bill is all about, creating these new agencies.

As long as the taxpayer in Ontario has to support two organizations with identical mandates, and while the government members parrot the party line without applying any logic whatsoever to their endorsement of this deceitful plan, I cannot and will not support this legislation.

The taxpayers of Ontario elected you to govern, you people over there. They expected the ministries and their ministers to do the work traditionally required of them, and the member gets excited over there about whether we're talking about the bill.

You were elected to govern, not create a bunch of bureaucratic nightmares. They didn't elect you to fob off your responsibilities or the tough decisions and put them at arm's length. That's not why you were elected. You were elected to run this government. They did not expect you to find scapegoats to bring in unpopular measures



such as toll booths on highways. They did not expect you to fund them so you could hide your flagrant spending. That's what you're doing. You're going to hide them, trying to deceive them, but the bond agencies are fully aware of your responsibility.

The people of Ontario expect more. They don't expect the government over there to come along and create all these new agencies just so it can get out and say, "Hey, it wasn't us who did it."

Let's look at Ontario Hydro. You say that's at arm's length, that you can't help it, but their debt's our debt also. You like to say, "No, it isn't." You like to say: "That debt is somebody else's. It'll go away."

We talked about the WCB, and this is what they're creating, four more WCBs out of control. The next thing you know, we will see in the bill that they'll want to build new buildings for these corporations. Obviously, the WCB could have located downtown, there's lots of space to rent, but it had to build a big new building. By creating these new crown corporations the bill talks about, they will come up with the next idea, that we're going to need new buildings.

It's been said before and I think the member in front of me has said that in the next election we're going to hear Bob Rae, in his Agenda for People, saying, "We got rid of bureaucrats." But you know where they're going to be? They're going to be in these crown corporations that we're talking about in the bill. That's right, right in the bill, these four new crown corporations. That's what we're talking about here in third reading, four new crown corporations that are going to be created, and we're going to lose money.

The people of Ontario expect more. They deserve more. They're not getting good government. This will not help them out. All this will do is cause more debt, and the people don't need that.

1750

**Mr Stockwell:** How did they build roads before?

**Mr Murdoch:** The member in front of me mentioned something: How did they build roads before? How did they do that? Maybe the Minister of Transportation, if he were here, could explain that. How did they fund these roads before?

Now they need a whole new agency to build roads. This shows you maybe the incompetence of this government. They can't figure out how to run the ministries, so maybe this government has come up with an idea that they have to have a crown corporation to do these jobs. How do they build sewers?

**Mr Eddy:** They better get them back in shape.

**Mr Murdoch:** As my good friend from Brant-Haldimand mentioned, municipalities have been trying to get rid of things like this. But the thing about municipalities is that they can borrow money. "Hah," the government says, "There's an idea. Let's create a crown corporation. We can't borrow any money because we've put the Ontario government under. We've put the people of Ontario in debt so far that we can't borrow any money any more."

In the legislation, they talk about four new crown

corporations and they can borrow money. They're going to say to the municipalities: "You can borrow with us. Let's put them in debt." But there is only one taxpayer and it's the same one who funds this place who funds the municipalities.

They elected people here to run the government, but these people don't want to run the government. They want to give it to some bureaucrat, some general manager in the four corporations that are in the bill, the four they mentioned. They want to slough off their responsibility because they don't know what they're doing. They have no idea what to do, so what they're going to do is say: "We'll pass a bill. We'll legislate our responsibility to people who aren't elected."

Now we're coming out of democracy. Democracy is electing people to make decisions. Now this government decides, "Hey, we don't need to have anybody elected." That will be the next thing, we won't need to have elections because we can all leave bureaucrats out there running these crown corporations who are going to look after everybody and they can borrow a whole bunch of more money. Then they'll go to the municipality and say, "You borrow some money too, because we have mismanaged this government so bad that we don't have any more borrowing power left and we can't borrow any money." So in the bill they create four new crown corporations.

The people of Ontario deserve more and they're going to get more. This cannot pass and I will not be supporting it. Thank you very much.

**The Deputy Speaker:** Questions and comments?

**Mr Randy R. Hope (Chatham-Kent):** I listened intently to the member opposite and his explanation about accountability to the voters. I'd just like to ask him what his position was then on stable funding.

He allowed a tax to be implemented on farmers which created a larger bureaucracy which taxed farmers, which took away the member's accountability to this Legislature to make sure that he represented the interest of farmers. But he stood very proudly in this Legislature and supported enlarging bureaucracy, supporting trade unions and at the same time he was taxing farmers and took away his accountability in this Legislature to those farmers.

So to the member opposite, when he speaks on one side of the issue about accountability—

**Mr Stockwell:** Mr Speaker, on a point of order: I listened very carefully—just the last speaker you spoke to about questions and comments. I think you were very clear they must deal with the issue at hand and what the member spoke about with respect to questions and comments.

Not at any point in the debate offered up by the member for Grey-Owen Sound did he mention stable funding at all. I would ask you to direct the member for Chatham-Kent that stable funding is not on the platter today, it's third reading on the crown corporations act. You've got to bring him in line, Mr Speaker.

**Mr Hope:** As my time has been taken away by the point of order, I would ask that the clock be restored to its proper time.

I'm wondering if the member opposite would ever

stand up and speak on behalf of his constituents, because some of the money that has flowed through this crown corporation does land in his riding and I know the people there are waiting patiently for the member's position that he takes.

Is he supporting the council or is he supporting the taxpayers in that community about an infrastructure that's very important? I know the citizens in his community—and I'm waiting patiently for his answer on where he stands on the issue of the water and why he stood in support of a larger bureaucracy in the stable funding issue.

**Mr Elston:** Just a couple of comments. This bill is of interest to all of us but it is not of very much debate whether or not any of the members, on behalf of their ridings, are interested in getting assistance to put infrastructure in the ground one way or another.

There is, and I think the member for Grey-Owen Sound pointed out, some concern about how the moneys to be placed through these corporations are going to be accounted for. But for any member in this House to stand up and accuse another member either of not being interested in creating jobs or of turning away infrastructure assistance money for their riding seems to me to be somewhat jeopardizing the straight truth of the way things really are.

I want to say that the sections I dealt with when I was speaking on this bill are the ones which, quite frankly, concern a whole series of individuals. We know that roads have been built in this province for 126 years and longer. We know that watermains and sewers have been put in the ground for a whole series of decades under the auspices of the government of the day. We know that bridges have been built and we know that whatever the structure that is put in place, those bridges will be built, those jobs will be in place building the bridges and putting in the watermains and the sewers. All of those jobs are there to be dealt with if we have a government which is willing enough to put the money into the programs.

All this bill does is ensure that through a section in this very particular bill they can hide the amount of borrowings that are required to do that, and as a result it takes that out of the consolidated revenue fund. For my part, it is of interest to my constituents that they should know that this government isn't proud enough of those infrastructure programs to show it and display it proudly in their consolidated revenues. I think that is a point that has to be underscored time and time again.

**Mr David Johnson:** I would like to congratulate the member for Grey-Owen Sound. I think he's brought a number of excellent ideas into this debate in the House. He's asked, for example, do we need these agencies, have we in the past needed these agencies to provide the infrastructure in the province of Ontario?

He's pointed out that we have built roads, we have built bridges. He might have pointed out that in Metropolitan Toronto we built a very extensive subway system as a partnership between the province of Ontario and the people of Metropolitan Toronto, a subway system that's cost millions and millions of dollars, and yet we've done

that without the benefit of an agency. We've also done that, I might add, when there was a Progressive Conservative government in office.

The member has asked, do we need an agency to create jobs? Will the agency promote jobs? The answer he's given is no, we do not need an agency; we need a commitment. There are jobs and projects today that can be pursued right here in Metropolitan Toronto. I've mentioned the subway lines. There are a number of subway lines: the Sheppard subway line. This province has made a commitment to extend the subway lines, the Sheppard subway line and the Eglinton subway line; complete the loop on the Yonge line and the Spadina line; and the LRT.

Those are projects that have been committed, but where is the money? What we need is money, and the member for Grey-Owen Sound is pointing out that this bill does not create any more money. So there will be no subways built, no jobs created, unless we come to grips with that.

Finally, he's talked about accountability and the fact that the people expect the elected representatives to make the decision, not some agency that's removed from the people.

**Mr Perruzza:** This bill moves jobs. It finds creative ways to generate the capital to create jobs and it makes good business sense. So if you support a decision that makes good business sense, then support this.

**The Deputy Speaker:** The member for Grey-Owen Sound, you have two minutes to reply.

**Mr Murdoch:** The first thing I would have to mention is the member for Chatham-Kent. It's unfortunate he missed the stable funding debate by about three weeks; maybe he'll find out next time when the debate is and he can come to the right debate. It is unfortunate. I just wonder where he's coming from when his party did support it also. But maybe, as I say, he missed the debate.

The thing about this bill we're talking about is credibility and what it's all about. Again, the people of this province elected you people over there to govern. You want to shove it off on the crown corporations. You don't want to take the responsibility of doing the job they gave you. There won't be any new jobs created. There just won't be.

You may change bureaucrats from one agency to another, but unless you're going to get rid of the ministries, then you're not gaining anything. The only thing you're doing is losing control of what you got elected to do. That's one of the big things—the people elected you people to run this and you're going to give it away to some bureaucrat. Next you'll be telling us you don't need elections. That's the next bright idea you're liable to come up with.

I'm telling you that these crown corporations are not needed. In this day and age we don't need to be wasting money on setting up crown corporations and wasting our time with foolish bills like this just to take away your responsibility. I can't believe you people over there can't come up with something better than this in this House.



You're wasting our time and your time on foolish bills that take away your responsibility.

I think it's about time you sat down in caucus and started thinking of some good bills that might help this economy to get going. With stuff like this, you're just going to keep us stagnant, and the ratepayers and the people in this province are going to boot you right out on your ass. There's no doubt about it. That's what's going to happen to you unless you smarten up and start doing something right over there.

**The Deputy Speaker:** Is there any further debate?

**Mr Elston:** On a point of order, Mr Speaker: I think that is the final speaker as far as I have been advised, except if the member for Oxford is going to wind up. But there has been an agreement among the three parties to have this vote taken by way of division before orders of the day tomorrow afternoon.

**The Deputy Speaker:** Does the member for Oxford wish to make any remarks to wind up the debate?

**Mr Sutherland:** The debate has been very full and complete and everything has been dealt with, so I have no further remarks.

**The Deputy Speaker:** I will place the question.

Mr Sutherland moves third reading of Bill 17, An Act to provide for the Capital Investment Plan of the Government of Ontario and for certain other matters related to financial administration.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

It has been agreed to defer the vote to tomorrow before the orders of the day.

It being past six of the clock, this House stands adjourned until 10 o'clock tomorrow morning.

The House adjourned at 1803.







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